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TRACES OF A RACIST PAST:
UNCOVERING PUSHOUT AND NORTH CAROLINA'S POST-BROWN EDUCATIONAL
POLITICS

BY
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DISSERTATION

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ABSTRACT

This study examines North Carolina's past educational politics from the desegregation era as a means to better contextualize its modern-day school pushout crisis. It marks desegregation as the bedrock for racialized school pushout as white resistance to integration proved difficult and at times dangerous for Black students as they entered formerly all-white educational spaces. As modern Black students are continually suspended from schools at racially disproportionate rates, the study seeks to gain a better understanding of the social and political context that allows for the racial disparities to persist. The study pinpoints Black North Carolinians' struggle for voting rights crucial for analysis as it can be correlated with the struggle to keep Black students in schools, as concurrent a form of racialized disenfranchisement. With North Carolina at the center of major legal battles concerning voting rights at the time of this writing, this study examines modern-day advocacy and takes a look back to advocacy prior to the Voting Rights of 1965.

Keywords: school pushout, school discipline, desegregation, voting rights, police-free schools, police abolition, school-to-prison pipeline, CRT, Black Geography, Musical Discourse Analysis

To my family, my tribe. Thank you for always showing up, for never leaving.

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GLOSSARY OF ABBREVIATIONS

ADHD – Attention Deficit Hyperactivity Disorder

CLS – Critical Legal Studies

CMS – Charlotte-Mecklenburg Schools

CORE – Congress of Racial Equality

CRT – Critical Race Theory

DOE – U.S. Department of Education

DOJ – U.S. Department of Justice

DPI – North Carolina Department of Public Instruction

HBCU – Historically Black Colleges and Universities

IEP – Individualized Education Plan

IRB – Institutional Review Board

MOU – Memorandum of Understanding

NAACP – National Association for the Advancement of Colored People

N.C. – North Carolina

N.C. A&T – North Carolina Agricultural & Technical State University

NCAE – North Carolina Association of Education

NCCU – North Carolina Central University

NCGA – North Carolina General Assembly

PTA – Parent Teacher Association

ROWP – Rights of White People

SNCC – Student Non-Violent Coordinating Committee

SRO – Student Resource Officer

STPP – School-to-Prison Pipeline

U.S. – United States of America

UCLA – University of California, Los Angeles

VRA – Voting Rights Act of 1965

WCPSS – Wake County Public School System

CHAPTER 1: INTRODUCTION

Schooling at Gunpoint

After defending the proposal for this study, I remained in Illinois for the remainder of the semester in preparation for entering the field. With only a few weeks left before my departure, I engaged in my regular graduate student activities and wrapped up my involvement as a member of the local Racial Justice Task Force. The Task Force was assembled to research and submit a final report of its findings of systemic racism to the Champaign County Board. As we began the process there were community members and Task Force members alike, that were under the impression that those within the confines of the University of Illinois, Urbana-Champaign Campus Community, especially students, were absolved from abuse from the police.

As a Black graduate student researching racism and punishment in schools, I had been privy to a number of discussions of racialized profiling and abuse from police on campus over the past few years. While other members of the Task Force may have needed numerical data from professors on the topic, I felt grounded in knowing the personal stories of Black students. However, at that point all of my knowledge was only from secondhand accounts due to the fact that I had not seen, nor had I had any personal interactions with police on campus. Unfortunately, it wasn't long at all before that all changed.

Due to a major manic episode stemming from my schizoaffective disorder, one day I barricaded myself within my on-campus apartment, not allowing anyone to come in. Ironically, in my state of psychosis I believed that the police and FBI were searching for me at the time so the loud banging at the door came as no surprise. Preparing for the worst I leaned against the makeshift barricade, until they shouted something to the effect of "Police! Open up or else!"

When I slightly opened the door, I was immediately greeted by a gun within 6 inches of my face. For what felt like at least two to three minutes, the uniformed officer held me at gunpoint as his partner and the maintenance man stood in the doorway flushed with a look of fright and confusion. I stood there shocked and terrified in a non-verbal state, as I sometimes am during episodes, the cop said with a smug look and the gun still drawn to my face, “what’s wrong with him, is he deaf and dumb or something?” As soon as his partner received a message from his radio, he holstered his weapon and demanded that someone clean up the mess in the room.

After the officer clearly articulated that I may be cognitively impaired, neither he nor his partner check to see if I was okay as I stood there horrified and unclothed. This took place on the campus of a Research 1. No emergency dean was called, no mental health services, nor any other type student services were called to assist me through this crisis. They simply left me in tears, terrified in a state of mania. It didn’t escape me the way that Chicago Police Department murdered former Chairman of the Black Panther Party in December of 1969 while he slept in his own bed. So, I panicked for the rest of the evening, afraid that they might come back and finish the job by pulling the trigger this time.

My status as a graduate student in on-campus housing didn’t spare me from being immediately targeted as a threat. This personal experience highlighted for me, in an up close and personal nature, the challenges with policing and surveillance that Black students face on school campuses across the country on a daily basis. More importantly, it provided anecdotal evidence that police officers are not the solution for responding to real or perceived behavioral issues on school campuses.

This unexpected series of events propelled me into the field with a renewed perspective on how schools operate as Black geographies and sites of punishment for Black bodies. As I traveled home to North Carolina for my fieldwork and data collection, I sought to explore how the state's history of racism and politics helped shape integrated public schools into the institutions of racially disparate disciplinary that they currently have. In order to gather my thoughts around the state's history I knew that I first needed to tap into my North Carolina musical roots for a bit of home cooking.

Home Cooking: Lessons on Sampling the Struggle and With Local Legends

“In any situation that we find in our lives, when there is something that we feel should be better, we must exert effort to try and make it better. So it's the same socially, musically, politically in any department of our lives. I think music is an instrument. It can create the initial thought patterns that can change the thinking of the people.” – John Coltrane

Famed Jazz musicians of the past from North Carolina, John Coltrane, Nina Simone, and Thelonious Monk, were all engaged with the civil rights movement. In the quote above, Coltrane discusses how music is an instrument of change. This has been true for many Black American musicians of Black liberation and protest music, whether their compositions are instrumental or contain lyrics. Since the beginning of the 20th century, Black American musicians have always held an influential position in society as social and political drivers of ideas by utilizing music as a vehicle of influence. As leaders in their times, their music expressed not only the feelings of Black folk across the country, but their own experiences of racism and discrimination. Today, North Carolina is still home to music artists that push the culture forward with the issues of Black folk in mind, particularly Hip-Hop artists J. Cole, Rapsody, and 9th Wonder. J. Cole and

Rapsody each detail the explicit manner in which the criminal justice system and mass incarceration are etched into U.S. culture, especially for Black communities. They both exist during a time when much of Hip-Hop culture has become highly commercialized on the mainstream. Very few artists push forward the culture in a truly powerful way. They, however, remain faithful to their messages of empowerment and impart essential knowledge with each project.

As a music producer and professor at North Carolina Central University (NCCU), 9th Wonder pulls his students behind the curtain as he discusses how he samples soul music, highlighting how Black music from the 50s, 60s, and 70s fused with Black communities and social movements. He taught us how Hip-Hop's MCs pass down the history of our people just as griots have for centuries in Africa. He teaches his students how in its beginnings, Hip-Hop served as a bridge to positivity for Black youth, empowering them with knowledge of their own history as a means to thrive in a structurally racist and oppressive American environment.

Illustrating his historical and empowerment lens, 9th's trademark soulful vibe can be heard in "Duckworth," a Hip-Hop masterpiece by Kendrick Lamar. In this song Lamar pieced together samples of music from three separate generations and three different genres, with three distinctive 9th Wonder beats. This work in particular stands as a tangible manifestation of 9th's pedagogy, musical technique, and historical understanding that highlights the strengths of utilizing multigenerational knowledges and experiences to contextualize and better understand current times.

9th teaches the idea of things coming full circle whether it be in society, music, culture, etc. For instance, while I took his course, he would discuss how fashion styles would often go in and out of style within a couple decades, which we can see in the color blocking style of the 80s

that has circled back around in the late 2010s. More importantly, he pointed out the same in society with historical events. Citing events like the Jena 6 movement, which many of us participated in, he laid the foundations for us to look back to the Civil Rights Movement to be prepared for what would soon become what is now referred to as the Black Lives Matter Movement, and Movement for Black Lives. Another critical element of his pedagogy and all-around way of being is to lift up home and recognize the power and significance of North Carolina talent and history.

While still appealing to large audiences and enjoying commercial success, these artists illustrate how Black American music and artists reckon with America's dark past of chattel slavery that lingers into the present, presenting us with a challenging outlook. Just as enslaved Africans sang spirituals in order to teach themselves where to escape slavery, contemporary Black American music has been embedded in the struggle around and through oppression. Throughout the history of North Carolina, leaders within the Black community have also inhabited a similar space of ingenuity and creativity as they reckon with deeply entrenched systems of racism and oppression.

Their medium of advocacy may not be music, but North Carolina's Black activists, advocates, attorneys, judges, legislators, parents, and teachers have been critical forces on the frontlines on the fight for equality and equity in education for Black students. Their narratives and experiences provide us with valuable information on how to continue in the struggle against institutionalized forms of racial inequity in education within the state.

For example, Black activists and education justice advocates in the state fought for racial equity in the form of desegregation dating back as far as the 1930s. North Carolina was home to the first case to attempt to desegregate higher education in the country in *Hocutt v. Wilson*,

(1933). Thomas Hocutt from NCCU attempted to enroll in all-white University of North Carolina pharmacy school. Although the case was ultimately dismissed for lack of standing, as a precursor to *Brown v. Board of Education*, (1954), it was ultimately used as a blueprint for subsequent cases challenging the “separate but equal” doctrine that legally segregated schools. In addition to his attorneys, the plaintiff was heavily supported by activist and Newspaper editor Louis Austin, even against the advice and advocacy of other leaders in the Black community including the president and founder of NCCU James E. Shepard (Gershenhorn, 2018). Sadly, many of those from Austin’s time have transitioned and are now our ancestors, however elders from the time of legally segregated schools and integration still remain.

Like four participants from this study, many Black folk from the generation of students that attended schools during de jure segregation and those that integrated public schools, have grown to lead successful lives in advocacy and public service. The lessons that they learned in those environments proved to be critical to their advocacy for Black lives in integrated settings much later in their lives. It comes as no surprise that they view equity in modern-day education as a priority. It also comes as no surprise that seeing Black students disproportionately pushed out of schools today reminds them of their childhood experiences of societal and educational exclusion that have been forever etched into their minds.

For those of us who were raised and educated by generations who lived through desegregation and integration, we might have heard phrases to the effect of “ain’t nothin’ new under the sun,” and when it comes to racial inequities, they’ve seen it all. In recent years, Black North Carolinians have experienced a political doubling-back of disenfranchisement and educational exclusion to an extent not experienced since the signing of the Voting Rights Act of 1965. Throughout much of the history of the South, one critical aspect of excluding Blacks from

educational spaces has been restricting the Black vote. Three generations of education equity and voting rights advocates now struggle arm-in-arm, addressing North Carolina's problematic pattern of institutionalized exclusion of Black folk from both education and political participation. This study examines how education and voting constitute interrelated forms of disenfranchisement in North Carolina, making them critical bedrocks for understanding the contextualizing the racial disproportionalities of the modern-day school pushout crisis.

Context of the Study

Armed with an appreciation for multi-generational sampling, I credit 9th's teachings as a direct inspiration for this study as I first conceptualized modern-day public schools in North Carolina that discipline Black students at disproportionate rates, pushing them out of schools through suspensions and expulsions. This crisis of pushing Black students out of schools has been felt nationally as 1.2 million Black students were suspended in the 2011-12 school year, while 55% of those occurred in 13 Southern states—including North Carolina. Districts in the South were also responsible for half of the Black expulsions from public schools in the nation (Smith and Harper, 2015).

In the same school year 65,897 Black students were suspended from North Carolina's public schools, and 9,142 Black students were suspended from Wake County Public Schools (WCPSS) the state's largest district. In WCPSS' schools Black students accounted for 24% of the total number of students but over 53% of the overall suspensions (Smith and Harper, 2015). Additionally, according to data from 2009-2010, WCPSS ranked ninth nationally as the most racially disparate district in the nation (Losen & Martinez, 2015).

The earliest data available from 2007-08, shows that there were 308,010 short-term suspensions of less than ten days statewide, and from most recent data from 2018-2019, there

were 203,298 short-term suspensions. Over the same time span long-term suspensions of ten or more days have significantly decreased from 5,225 to 587 statewide (DPI, 2008; DPI, 2019b). While the numbers might suggest a concerted effort to address the crisis, advocates note that districts like WCPSS simply reassign students to alternative placements to lower their number of suspensions instead of finding ways to keep students in class. Still, with 104,712 fewer suspensions statewide the question lingers, why are Black students still suspended at the same disproportionate rates?

This ultimately led me to search for a deeper context behind the pushout crisis in the state of North Carolina. Nationwide, school discipline research highlights how Black students pushed out of schools are then left vulnerable to various racist systems and dangers such as the juvenile and criminal justice systems, hypersurveillance, over-policing, and sexual exploitation. In the context of this case, I remained interested in how public schools themselves in North Carolina have remained locations of racial trepidation since integration.

There is nothing particularly new about Black youth being forced into encounters with the criminal justice system simply due to prevailing anti-Blackness and racist attitudes. However, one critical difference over the past thirty to forty years is that schools have become an expression and extension of the criminal justice system to the point that in some cases, it is difficult to tell the difference between schools and prisons. Black students across the nation are being expelled and suspended from schools at alarmingly disproportionate rates in what has recently been termed the “pushout” crisis (Morris, 2016).

School discipline literature routinely frames racially disparate rates of punishment in public K-12 schools as a new “school-to-prison pipeline” (STPP) phenomenon (McGrew, 2016; Morris, 2016). The STPP, a theoretical metaphor to discuss punitive disciplinary policies that

push students directly from schools to prisons, has become a prevailing framework by advocates engaged in the school discipline issue. Though the STPP literature sheds light on a real problem, a shortcoming is that it is ahistorical and undertheorized, and squeezes the social, political, and economic complexities out of the analysis (McGrew, 2016).

School discipline literature and advocacy focus primarily on pivotal events and policies of the 1990s and early 2000s, such as zero tolerance policies, gun-free school zones, mass school shootings, and stark increases of police in schools. Although these policies may have provided legal “legitimacy” for pushing Black youth out of schools, the displacement of Black youth from N.C. public schools began with Jim Crow’s tactics contesting integration (Joyner, 2013; Janken, 2015). Once pushed out of their own schools and forced to integrate into formerly all-white schools, Black youth experienced countless acts of overt racial violence. There were instances where school administrators would let white perpetrators go scot-free as Black youth were arrested for simply defending themselves (Janken, 2015). This illustrates that the institutionalized practice of removing Black students from their educational spaces and subjecting them to racialized bodily harm is deeply rooted within the integration era. It is mainly for this reason that this study employs the term “pushout” throughout, instead of school-to-prison pipeline, as it allows for encompassing a wider historical perspective to draw correlations between the desegregation era to modern-day school discipline practices.

Modern-day education justice advocates in Wake County, North Carolina have struggled to combat pushout in WCPSS with its wave of zero-tolerance policies since the 1990s. Veteran members of community groups often mentor and guide younger advocates that come to the work unaware of the intricacies of the interlocking systems. They provide valuable insight on how WCPSS began the process of pushing students out by the tens of thousands. For instance, from

2004 to 2009, WCPSS enacted more than 20,000 short-term suspensions of students per year and more than 1,000 long-term suspensions per year (Langberg & Story, 2013). Nearly a decade later during the 2016-2017 school year, the numbers decreased to 11,863 short-term suspensions of one to ten days, and only one long-term suspension of more than ten days, see Table 1 below. Whereas Black students account for roughly a quarter of the total student population, they have consistently accounted for nearly 60% of the total number of suspensions. Black students are still nearly 7 times more likely than their white counterparts to receive short-term suspensions, and Black youth are 10 times more likely to be referred to juvenile delinquency court. Nearly 73% juvenile complaints for the 2017 calendar year were against Black youth, and nearly 86% of juvenile detention admissions were of Black youth (Youth Justice Project, 2019).

Table 1. 2016-17 Suspensions and Expulsions in WCPSS by Gender and Race/Ethnicity

Gender	Race/Ethnicity	# Short-Term Suspensions	# Long-Term Suspensions	# Expulsions
Female	American Indian	13	<10	<10
Female	Asian	19	<10	<10
Female	Hispanic	500	<10	<10
Female	Black	2103	<10	<10
Female	White	331	<10	<10
Female	Multiracial	142	<10	<10
Male	American Indian	33	<10	<10
Male	Asian	100	<10	<10
Male	Hispanic	1512	<10	<10
Male	Black	4963	<10	<10
Male	White	1744	<10	<10
Male	Multiracial	403	<10	<10
Totals		11,863	1	2

Source: Report to North Carolina General Assembly 2016-2017. State statutes 115C-12(21) and (27) require that North Carolina schools report annual Discipline data to North Carolina Department of Public Instruction (N.C. DPI, 2019a).

During the 2018-2019 school year, the number of short-term suspensions were dramatically reduced. According to the N.C. Department of Public Instruction (2019) WCPSS reported 9,947 short-term suspensions, with three long-term suspensions. This shows a commitment on behalf of WCPSS to eliminate long-term suspensions and to limit short-term suspensions. While the total number of suspensions are slowly lowering, the racial disparities persist. Advocates suggest that beyond the disparities, students that are pushed out continue to face harsh and unlawful treatment.

Over the last decade, attorneys and education justice advocates from across the nation have joined together to outline the outrageous practices of pushout in WCPSS. The National Association for the Advancement of Colored People (NAACP) filed a complaint in 2010 before the U.S. Department of Education's (DOE) Office of Civil Rights (OCR) alleging racial segregation in student assignment and racial disparities in school discipline. In 2014, Legal Aid of North Carolina, Inc. Advocates of Children's Services filed a complaint with the U.S. Department of Justice (DOJ) Civil Rights Division against the district and surrounding law enforcement agencies providing services to WCPSS. The 2014 DOJ complaint highlights the cases of eight Black male students, seven of which were also students with disabilities. These students were harshly punished for minor incidents of misconduct such as stealing paper from recycling bins, having water balloon fights, playfighting, cutting in lunch line, and horseplay. Students were subjected to uses of force including but not limited to being body slammed, tasered, and pepper sprayed. In one instance a parent was arrested for attempting to report their student being abused to the principal. Such police actions created an environment where parents, particularly Black parents, feared retaliation from Student Resource Officers (SROs) and law enforcement officers for simply trying to protect their children (DOJ Complaint, 2014).

The 2014 DOJ complaint also outlines an array of unlawful police practices such as: handcuffing students in crowded cafeterias and hallways, violently tackling and pushing students into walls, verbal harassment, routinely violating students' rights regarding searches, seizures, and custodial interrogations, and utilizing schools and students trust of school administration as a setting to interrogate students about off-campus incidents. In one instance, a Black student with disabilities requested that an SRO review the surveillance footage to prove that he did not commit the alleged assault. After reviewing the footage, the SRO verbally admitted that the student did not commit the alleged assault. Then, the officer stated that it would be the teacher's word against the student's, despite video evidence. The student was still arrested, and bond was set at \$5,000, an amount his mother could not afford. Therefore, he was forced to spend three nights in jail for an act he did not commit (DOJ Complaint, 2014).

This complaint utilized these eight cases in greater detail to highlight the many difficulties that students face while engaging with law enforcement, SROs, and the punitive nature of the criminal justice system within schools. The students' lives were forever impacted after these events and many reported that they no longer trust SROs or schools, and some transferred schools. These incidents are often demoralizing and demeaning, and the emotional trauma can lead to a long list of negative collateral consequences including but not limited to academic failure, limitation of future prospects in higher education and employment, and impact their odds of naturalization (DOJ Complaint, 2014).

In the years since the original student discipline complaint was filed, WCPSS has made positive strides, causing the federal government to close its investigation agreeing to a voluntary resolution agreement. Federal investigators recognized the changes in the district's discipline policies have resulted in a sharp decrease in the number of suspensions, the creation and then

expansion of the Office of Equity Affairs, the expansion of alternatives to out-of-school suspension, the creation of a Community Equity Leadership Team (CELT), amongst other factors, served as supportive factors. As of this writing, members of the local CELT have continually worked with law enforcement agencies and SROs on restructuring a new and more comprehensive Memorandum of Understanding (MOU) to go into effect during the Summer of 2020.

However, for Black communities, progress for Black folk is always followed with conservative backlash and institutional retrenchment. History has proven that racial and systemic advancement has always been swiftly followed by further legal infringements to Black liberation. For example, how the abolishment of slavery was followed by the Hayes-Tilden Compromise, convict leasing, Jim Crow laws, poll tax laws and literacy qualifications, etc. to stifle the advancement of Black folk as full citizens. Much of the progress made from the integration of the 1970s and 1980s was washed away with the rampant use of zero-tolerance policies and pushout of the 1990s and beyond. As a Black person with lived experiences of educational racism and awareness of our long history of retrenchment, I approach the progress that WCPSS and other districts have made with measured caution. Keeping this in mind, one line of questioning could surround the idea of how we can prepare for impending or possible retrenchment? But a more critical approach would interrogate how we might build and promote sustainable structures, both educational and political, that work to ensure that racial equity is a core and foundational component of educational systems.

Research Questions. I examine three interconnected questions: (1) How do present-day anti-racist struggles in public education, such as equity in school discipline, fit into the larger historical and political landscape for public education for Black folk in the State of North

Carolina? (2) How has the history of the desegregation era's educational, voting, and political disenfranchisement worked in unison to continue the enduring legacy of racial inequity in North Carolina, and how can that history better inform school pushout advocacy? (3) How do advocates navigate around and through structural resistance to equity in order to address pushout?

Statement of Research and Study Significance.

This study examines the systematic and institutionalized practices of excluding Black folk from integrated schooling and educational spaces since the desegregation era (1954-1973) to the present (2019). The years 1954-1973 marking the timeframe from the *Brown v. Board of Education* case initiating school desegregation to the last noted student walkouts in North Carolina protesting the racially discriminatory conditions of school integration (Janken, 2015). The study focuses on the history of North Carolina's social, political, and educational landscapes as a means to better contextualize today's pushout culture and address impending issues as anti-Black racist structures continue to transform. Most importantly, it grapples with the concept that racialized school pushout is not an outgrowth of differential behavioral issues between students race but is merely an extension of various systems of structural oppression rooted in history. Specifically, it exposes the correlations between pushout and the legal struggle for voting rights and political participation of the 1960s and 1970s. This study addresses three major gaps in school discipline literature: (1) a geographic focus on non-Southern urban districts; (2) a lack of nuanced historical analysis of anti-Black racism, and (3) a shortage of theory addressing the legally acceptable disenfranchising nature of pushout (McGrew, 2016).

Research studies on school discipline are concentrated in large "urban" centers such as New York City and Los Angeles (Ferguson, 2000; Morris, 2016). Smith and Harper (2015) state

that while 1.2 million Black youth were suspended from public K-12 schools throughout the U.S. during 2011-12, 55% of those suspensions occurred in 13 Southern states, including N.C. WCPSS, N.C.'s largest school district, has the ninth largest rate of racial disparities in the entire nation, with thirty-eight secondary schools suspending at least 25 percent of their Black youth (Losen et. al, 2015). During the 2011-2012 school year, Black youth were only 24.7% of the WCPSS student population yet accounted for 53.3% of suspensions (Smith and Harper, 2015). These statistics highlight the need for more research in Southern school districts, particularly WCPSS.

Over the last three decades, policies and practices have been implemented ensuring the legally systematic enclosure and exclusion of Black youth, however they extend beyond simply funneling youth from schools into the criminal and juvenile justice systems (Meiners, 2007; Rios, 2011; Sojoyner, 2016). The vast majority of discourse regarding school discipline fails to meaningfully address the intricate nature in which prison and public education systems work in tandem, as distinct institutions of criminalization. Scholarship of prison systems is too narrowly constructed as public education has largely been neglected by scholars of prisons (Sojoyner, 2016). In order to fully grapple with issues of the prison industrial complex or begin to imagine how to create a world without prisons (Davis, 2003), we must first realize how prisonlike discipline practices have infiltrated our everyday lives.

Iniquities within the state's criminal justice system run deep and vulnerable populations still suffer the consequences, as persons of color are ten times more likely to be arrested and detained than a white person. From a historically perspective, North Carolina is the embodiment of a "tough on crime" state. For instance, up until 1941 anyone convicted of first-degree burglary or arson in the state faced a mandatory death sentence (Kelly & Rizer, 2019). In fact, North

Carolina was the last state in the entire country to raise the age of juvenile court jurisdiction to eighteen. It wasn't until December 2019 that sixteen- and seventeen-year olds accused of crimes could be tried under juvenile court jurisdiction, and not adult criminal court.

By pinpointing anti-Black racism and white resistance to integration as foundational to the pushout crisis, researchers of law and social sciences will be able to better understand the manner and extent in which integrated public education has always been a site of punishment and exclusion for Black youth. In order to provide an effective transformation of the current order, law and policy cannot function as a means to reinforce viewpoints that reenact the social order as it already is (Crenshaw, 1988). Currently, much of the school discipline discourse focuses narrowly on education policies and student behavior, framing disciplinary practices as a schools' issue. Therefore, most of the discourse tends to limit proposed remedies to policymakers and schools, overlooking the critical contexts of punishment across several social and political institutions.

Framing school discipline discourse around the nexus of complex institutional relationships is crucial as Black youth continue to face disproportionate rates of punishment with no differential rates in misbehavior (Simson, 2014). This additional context allows for a more thorough analysis of the various issues surrounding the nexus between schools and prisons. This study imagines the radical and total disruption of oppressive structures, allowing for schools to be a place where all students can attend without the threat of being subjected to the oppressive physical and ideological violence of racial exclusion and the prison systems.

Introduction of Theory & Methodology. This study utilizes an embedded case study design consisting of in-depth semi-formal in-person interviews and case analysis of one school discipline to “organize different types of knowledge, such as different stakeholder or disciplinary

perspectives” (Scholz and Tietje, 2002, p. 4). It comprises of ten in-depth semi-formal interviews of attorneys, a judge, a legislator, grassroots activists, school administrators, teachers, and parents in order to gain an in-depth understanding of the contextual nuances linking the mistreatment of Black youth during integration to that of the contemporary WCPSS pushout crisis. I employed case analysis of one case of school discipline court proceedings involving the punishment of a Black youth. The case analysis examines the lack of fairness and objectivity in legal proceedings for Black youth. The data analysis utilizes a black geography lens (McKittrick, 2006) along with a critical race theory lens (Decuir & Dixson, 2004) and musical discourse analysis (Aleshinskaya, 2013). These lenses are used together in order to explore the historical context of anti-Black racism within the school discipline and education justice structure.

Organization of the Study

Chapter 1 provides an introduction and overview of the study. Chapter 2 reviews the literature of school discipline research and a brief overview of Black education within the state of North Carolina. Chapter 3 provides the theory and methodology of the study. Chapter 4 provides a brief historical context for education in Wake County and North Carolina. Chapters 5, entitled *Ain’t Misbehavin’*, highlights how racialized pushout has played itself out in WCPSS and features accounts of how parent and teacher advocates have struggled against it for over three decades. Chapter 6, *Carolina Goddam*, surveys the intersection of N.C.’s history of Black education and voting rights, while exploring the educational, political, and legal experiences of four Black political trailblazers. Chapter 7, entitled *Power*, examines WCPSS’ the current-day education justice systems that students and families face amid the pushout crisis. The final chapter, Chapter 8, are comprised of the conclusion and recommendations.

CHAPTER 2: LITERATURE REVIEW

Struggles of Old, Lessons for Struggles Eternal

Slave Ships, and Plantations to Prisons and Schools

“The plantation was a space where the incarcerated population was controlled by a regime of surveillance and punishment and manipulated by what one historian described as ‘the psychology of terror’” (Stuart, 2013, p. 179). The plantation served as a space where enslaved persons were forbidden to learn to read by law (Anderson, 1988; Morris, 2016). Therefore, slavery and its surveilling geographic technologies—such as the plantation—can be understood as both a site of punishment as well as site of Black anti-education. Black freedom and liberation efforts have served as catalysts for numerous global social movements across several demographic lines during the last century. Thus, Black freedom and liberation efforts have and always will serve as a trailblazing force for race and education, and contemporary educational struggles merely signify the “afterlife of slavery” (Hartman, 2007).

Black education in the U.S. developed during slavery and the American Reconstruction Era (1863-1877), a period marked by social, legal, political, and economic racial oppression. The enslaved, freedmen, freedwomen, and abolitionists alike faced a number of challenges—physical as well as ideological—along their pursuit for liberation. Well-chronicled debates originated during this period as to whether schooling should serve the purpose of developing students for democratic citizenship or for second-class citizenship. These fundamental—though contradictory—notions of U.S. education often occupied the same time and spaces within educational institutions (Anderson, 1988).

After the passage of the 13th Amendment in 1865 and 14th Amendment in 1868—prohibiting slavery and granting citizenship to the formerly enslaved—institutional and legal

instruments of oppression continued to subject many to second-class citizenship on the basis of race and gender. The vestiges of chattel slavery endured through 20th century schooling with Jim Crow and desegregation, and have arguably lingered into the 21st century in the form of resegregation, tracking, and racialized pushout. The U.S. was built upon a foundation filled with not only slavery, but also land theft and genocide of indigenous peoples, and other prejudicial “legal” denials of citizenship.

The modern-day era of mass incarceration and the prison industrial complex represents the enduring remnant of chattel slavery in the United States, and the traces of slavery have proven to be endemic to our society. As demonstrated with slavery, these regimes of punishment and control of Black folk are intimately entangled with education. Several scholars of public education have highlighted a number of similarities between school and prison systems, most commonly understood through glaring racial disparities in school discipline systems. This critical legal and racial analysis of the education and politics of the state of North Carolina and Wake County during the desegregation era contributes to the current education literature. Lastly, this analysis examines the complex merging of racism, politics, and education, and marks a much earlier starting point for the racialized pushout crisis.

The Pushout Crisis

Much of the school discipline research literature connecting schools to prisons, points to policies and events of the 1990s such as Gun Free School Zones, Zero Tolerance, and mass school shootings. However, it routinely skips over the racialized punishment and control regime levied against Black youth that was practiced as early as the 1950s. Through a deeper inspection that takes into consideration historical trends, this literature review explores the enduring

connection between Black displacement and dispossession through public schools and prison systems. The focus is on North Carolina's educational desegregation era politics (1950s-1970s).

Several studies conclude that Black youth are disparately affected in the administration of school discipline (Skiba et. al, 2010; Losen & Gillespie, 2012; Kim, 2012), and that low-income Black youth are more likely to experience intense security conditions than other students (Nance, 2014). The study by UCLA's Civil Rights Project "Out of School and Off Track: The Overuse of Suspensions in American Middle and High Schools" on the overuse of suspension in secondary schools reveals that 2,624 secondary schools in 323 districts across the nation suspended 25 percent or more of their student body during the 2009-2010 school year (Losen & Martinez, 2013). This study also demonstrates that 519 of these schools had suspension rates of at least 50 percent of their student bodies. Secondary schools are labeled as hotspots if they suspend more than 25 percent of any subgroup. Chicago had the highest number of high-suspension hotspot schools in the nation with eighty-two schools, while Wake County, North Carolina ranked ninth nationally, having the highest number of hotspot secondary schools in North Carolina, with thirty-eight. These statistics highlight the need for more research in Southern school districts such as WCPSS.

Hyper-surveillance and over-policing tactics have become entrenched in racialized communities as a result of law, policy, and practices of social control (Hill, 2016). Consequently, punitive measures have extended into public schools, where students are frequently punished for non-threatening behaviors. Public schools have now become unconscious of their prisonlike punishing practices, causing many students to experience school within a contentious learning environment (Sojoyner, 2016). Scholars contend that punitive policies and unfair discipline practices funnel students from schools into the criminal justice system, creating what is referred

to as the “school-to-prison pipeline” (STPP). Much of the literature utilizing the term is ahistorical, undertheorized, and squeezes the social, political, and economic complexities out of school discipline research (McGrew, 2016).

Punishment processes do not simply begin in schools leading students straight into prisons as much of the literature suggests. Through heavy surveillance, stigma, and degrading interactions such as profiling, many Black youth are needlessly punished at schools without ever being sent to either the principal’s office or prison (Rios, 2011; Morris, 2016). The STPP framework negligently infers that public schools and prisons are separate social institutions whereby one directly feeds into the other. However, schools implement prisonlike practices of punishment and control to address student behavior. These prisonlike practices cause schools to become a fully functioning branch of the U.S. carceral state that has been built on the systematic punishment of Black persons, creating a nexus of punishment and control intricately blending the prison and public education systems (Sojoyner, 2016).

In an effort to expand the confines of school discipline discourse—particularly in the fields of education policy and law, the nexus or interwoven webs of punitive threads (Meiners, 2007), causes public education to incorporate ideologies, policies, and practices that mirror the prison industrial complex. This work illuminates the nexus by focusing on institutional structures of punishment and control that impact schools in North Carolina. Zero-tolerance policies, extensive surveillance, and techniques of discipline have stretched beyond prison walls into communities of color, creating carceral networks—extension of punitive policing practices into everyday spaces utilizing prisonlike punishments (Wacquant, 2001; Vitale and Jefferson, 2016).

Across the nation, Black youth are six times more likely to be suspended than their white peers, yet these disparities cannot be explained by differential rates of misbehavior (Simson,

2014). National school discipline data indicates that the majority of Black youth that are expelled or suspended from public schools attend schools in 13 Southern states (Smith and Harper, 2015). Much of the current school discipline literature focuses heavily on schools in large non-South urban areas such as Los Angeles, Chicago, San Francisco, and New York. By expanding discussions of school discipline beyond the limits “inner city” schools wrought with crime, metal detectors, and iron gates separating the school from the outside world, this study has the potential for a broader impact on school discipline policy, as well as the prospects of increasing healthy partnerships between academia and businesses free of carceral mechanisms.

Schools & Prisons

“Schools look an awful lot like prisons, and sometimes schools look more like prisons than do real detention centers” (Meiners, 2007, p. 2-3). Schools have become intertwined with the carceral state, creating what has been referred to as an “American Gulag” (Weissman, 2014). The term “carceral state” refers to the manner in which law enforcement methods, tools, and techniques are pervasive throughout all components of society. The extensive reach of the carceral state has allowed for more Black folk to be under correctional control than were enslaved prior to emancipation (Alexander, 2010). Therefore, the mass incarceration era has placed a stranglehold on poor communities of color, subjecting millions of citizens to the social, economic, and political control of the state. Driven by the expansion of prisons and the criminal justice system at-large, governmental and economic interests collide, forming the prison-industrial complex. Gottschalk (2015) asserts that the carceral state results in “civil death.” In the same tenor, when schools employ prisonlike techniques of discipline, control, and punishment through formal and informal practices, Black youth are pushed out towards their social and educational deaths.

Thus, carceral schools exhibit the extent to which prisonlike mechanisms have not only infiltrated actual public-school buildings in the form of security measures and policing, but also education policymaking and public opinion regarding school safety (Sojoyner, 2016). One case in point, in Missouri the law effective January 1, 2017 causes students of any age to be charged with a felony for fighting in school, on school grounds, or a school bus (Klein, 2016). Missouri lawmakers implemented this punitive educational policy despite research finding that Missouri ranks among the highest in the nation in racial disparity gaps in suspension rates (Losen & Gillespie, 2012).

Carceral schools mirror historically state-sanctioned disciplinary practices by constructing spaces where Black persons reside as spaces of punitive carceral control (Foucault, 1979; Vitale and Jefferson, 2016). Schools classified as “urban” and “inner-city” with high percentages of Black students are particularly subjected to processes of confinement and control. The STPP metaphor is commonly used as a conceptual framework to refer to this punitive social control process. However, exploring carceral schools as located within the nexus of prison systems better addresses the complex nature in which schools and prisons interact. Thus, each serves equally punitive functions of institutional social control for students of color—particularly Black students.

The process of making schools more like prisons complicates the racial and gendered dynamics of educational spaces, because throughout modern U.S. history prisonlike spaces have been reserved for Blackness and deviance (Sojoyner, 2016). This complex utilization of educational spaces is critical as “[w]e have seen the impact of institutional racism on disciplinary decisions against students of color. When suspension is used, it is used more often on black students. When expulsion is used, it is used more often on black students” (Peak, 2015). For this

reason, it is imperative to theorize the nexus between schools and prisons as a form of punishment—and not merely discipline. Research shows that policy reforms in school discipline have failed to limit punitive measures that Black youth face (Cholke & Ali, 2015), similar to the way that criminal justice reforms have failed to protect Black communities from hyperpolicing practices (Jefferson, 2015).

Contemporary transnational Black social movements such as Black Lives Matter, Movement for Black Lives, #RhodesMustFall, and #FeesMustFall have called into question the legitimacy of state power; understanding the role of state power, as more general than just government, but concentrated in state and corporate power (Chomsky, 2015). The nexus between schools and prisons should not be viewed as an outgrowth of the U.S. incarceration obsession, but it should be viewed as practices that are woven into the very fabric of our country. These educational harms are grounded in historical forms of marginalization that are embedded in the structures of the United States: namely, land theft, genocide, slavery, protection of the elite class, and white supremacy.

Police in Schools

Police entered schools as early as 1939-1952 in the Indianapolis Public Schools, where they were hired as “special investigators” (Advancement Project, 2019). In 1948, the Los Angeles School Police Department had its beginnings as a security unit that was created to patrol increasingly integrated neighborhoods (Brown, 2006). However, SROs were first introduced in Flint, Michigan in 1953 in an attempt to improve the community relations between officers and the city’s youth. Cities across the country slowly began introducing similar programs into their schools.

However, in the 1960s law enforcement was utilized to suppress student rebellion in two notable instances. In 1967 the Police Commissioner in Philadelphia ordered 100 police officers to confront 3,500 students in full riot gear. While the students walked out, marching for more Black history courses, Black educators, and freedom to express Black culture hundreds were beat, 22 seriously injured and 57 were arrested. A few short months later a similar walkout took place with approximately 15,000 Chicano students, only to be met by armed police and beatings resulting in 13 of the organizers being arrested on serious felony charges where they each faced up to 66 years (Advancement Project, 2019).

Along with punitive approaches to student behavior, schools across the nation have experienced a rapid increase in the presence of SROs, largely in direct response to school shootings. According to the U.S. DOJ, the number of SROs increased 38 percent between 1997 and 2007 (Petteruti, 2011). However, research indicates no clear evidence proving that SROs can prevent school violence (Nance, 2016). School arrests are frequently for non-criminal acts, and schools employing intense policing practices often have poor school climates that are detrimental to student learning and positive growth (Nance, 2014). On the question of whether SROs should be removed from school discipline procedures, it is imperative to examine cultural and historical factors that have allowed for Black students to continually be subjected to being tased, placed in handcuffs, and physically assaulted for behaviors, such as falling asleep, asking questions, and using a cellphone (Morris, 2016). Although removing SROs may limit in-school arrests, all school discipline reforms that bypass critical connections between prisons and schools only serve to preserve the current social order (Gorz, 1967; Shaylor & Chandler, 2011).

President Obama assembled a task force to address 21st century policing, advising that police officers should have limited involvement in school discipline (President's Task Force,

2015). While minimizing police presence may be a goal, it does not remove the practices of hyperpolicing and racialized surveillance in schools, which are not limited to law enforcement officers. Teachers, school administrators, community members, corporations, policymakers, the criminal and juvenile systems, and students alike contribute to the proliferation of the carceral network (Rios, 2011).

Though outside the context of schools, the U.S. Supreme Court grapples with policing's domineering role in the carceral state in *Utah v. Strieff*. The case involved a suspicionless stop where an officer initiated the chain of events without justification and engaged an unconstitutional search. The majority of the Court held that the discovery of an unpaid parking ticket forgives a police officer's violation of a person's Fourth Amendment rights. In her dissenting opinion, U.S. Supreme Court Justice Sonia Sotomayor notes, "[t]his case allows the police to stop you on the street, demand your identification, and check it for outstanding traffic warrants—even if you are doing nothing wrong" (*Utah v. Strieff*, 2016). And if the officer discovers a warrant or fine you forgot to pay, courts will now excuse the illegal stop and admit the illegal evidence procured. This type of protection from the Court further entrenches the carceral state into the various geographies of daily life.

Justice Sonia Sotomayor contextualizes the dangers of over-policing and hypersurveillance for youth as she asserts that for generations "black and brown parents" have warned their children of unlawful racialized hyperpolicing. These carceral actors and practices actively constrict space as Black and Brown children's bodies are constantly "subject to invasion" (*Utah v. Strieff*, 2016). Schools must "promote student's educational interests by providing an environment that is conducive to learning" and preventing crime is an important governmental interest that has overridden students' rights (Nance, 2016). With law enforcement

officers in schools, we continue to see unchecked power roam hallways violating students' rights. This is mostly because U.S. society in general allows reckless and unconstitutional over-policing of all populations, particularly those of color. Thus, prisonlike schools with overzealous SROs and disciplinary climates are not environments conducive to learning. Due to the complex history of racialized policing of Black youth—which extends beyond the introduction of law enforcement into schools—reforms such as simply removing SROs from schools will not rid schools of the punitive ideologies that have enclosed Black students for decades.

On School Discipline: A Review of the STPP Framework

The dominant framework to discuss school discipline in U.S. education is the metaphor STPP. Generally, the STPP literature which is quite extensive, refers to the emerging pattern of pushing students out of educational institutions through various disciplinary procedures such as zero tolerance policies, police in schools, suspensions, and expulsions, criminalization of education, racialized discipline disparities, and the achievement gap—to name a few, and channeling them directly or indirectly into the juvenile and adult criminal systems. McGrew (2016) found that the first usage of “pipeline” in relation to youth incarceration was in 1996. Noguera (2003) points out the growing link between inner-city schools and prisons as he referred to an “educational pipeline,” a path that would lead young people from school to prison. McGrew (2016) also states that the popularization of the STPP framework developed from a conference in 2003 (McGrew, 2016). A year later, STPP began appearing in new reports and soon organizations such as the Children’s Defense Fund and the American Civil Liberties Union had adopted the STPP metaphor. Eventually, the STPP metaphor would garner national attention with congressional hearings to address the pipeline. However, because of the simplicity and

straightforward nature of the STPP metaphor, many complex characteristics and radical forms of analysis failed to reach the dominant public discourse of the STPP (McGrew, 2016).

While McGrew's (2016) historical background of STPP literature is functional, Sojoyner (2013) extends McGrew's analysis to include an additional layer of context involving black radical traditions. Sojoyner extends McGrew's history of STPP by revealing its connection to anti-prison movements across the United States. He states that unlike the STPP discourse, radical community organizations like Critical Resistance have explicit ties to historic, economic, political, and social projects that aim to radically alter society through the abolishment of prisons in order to eliminate the oppressive linkages between schools and prisons (Sojoyner, 2013, p. 243). Sojoyner provides that in the mid-to late-1990s the slogan "education not incarceration" grew out of a coalition of various grassroots and student activism, where organizations emphasized access for the poor, criminalization, relevant curricula, working-class communities of color, and declining economic opportunities. He argues that the "Schools not Jails" campaign of the late 1990s was in many ways a co-optation of the issues which in turned shifted the conversation away from key historical issues that were core to the development of radical community organizing (Sojoyner, 2013).

As exhibited by McGrew (2016) and Sojoyner (2013) the STPP framework has origins in grassroots organizing as well as the fields of education and law. Notwithstanding their varying historical contexts, both McGrew and Sojoyner agree that the literature within the STPP framework is undertheorized, ahistorical, and fails to grapple with the complex nature of punitive disciplinary measures in schools, prisons, and society at-large. School discipline and STPP research has extended to fields such as psychology, social work, anthropology, and sociology—to name a few. Regardless of the discipline, field, or subfield in which scholars of school

discipline and STPP conduct their research, they often rely on school discipline data from the U.S. Department of Education's Civil Rights Data Collection which provides statistics on suspensions and expulsions based on categories such as race, gender, ability, and socioeconomic status (Skiba et al., 2010; Losen & Gillespie, 2012; Losen, 2013; Losen & Martinez, 2013). But as the following scholars exhibit, school discipline research must be rooted in a contextual analysis of anti-Black racism, and structurally oppressive systems beyond the numbers.

Expanding Past the STPP Framework: Beyond the Numbers.

Much of the STPP literature attempts to establish a causal relationship between educational and disciplinary practices in schools, and incarceration rates (Richardson & Judge, 2013; Skiba et al. 2014). Early on, STPP literature focused heavily on school practices and school-based policies without taking sufficient account of the historical, cultural, political, and economic contexts in which they grew out of. Thus, a number of school discipline scholars have started to expand the conceptual frame beyond the notion of a pipeline channeling students in a one directional path towards prison. Increasingly, school discipline scholars are employing structural theories which address the manner in which schools, prisons, and other social institutions serve the purpose of social control and political domination (see Foucault, 1977; Wacquant, 2001; Davis, 2003; Gilmore, 2007). Each of the following constructs represents a few of the conceptual frames that scholars have used to examine and describe schools as institutions of social and political domination. These scholars engage in interdisciplinary work as their respective backgrounds include education, sociology of education, law, anthropology of education, and non-profit policy organizations.

School-to-confinement pathways. Morris (2016) displays how for many Black girls, interactions between schools and the justice system do not begin in schools, nor do they end

there. Morris also expands discussions of punitive social control beyond schools, problematizing the concept of the STPP. She addresses a significant gap in the literature that overlooks the experiences of Black girls in educational structures of punishment by exploring how Black girls are pushed out of schools and placed on “school-to-confinement pathways” (Morris, 2016).

Morris utilizes a composite narrative method to gain knowledge directly from Black girls’ educational experiences—community schools and detention center schools. Morris centered the lived experiences of the girls in order to describe a deeper understanding of the issues they face. This allowed for the Black girls at the center of analysis to “share their educational experiences from their own perspectives, and in their own words” (Morris, 2016, p. 244).

Morris reveals the historical linkages to slavery by emphasizing that the girls in her study are “sexually exploited children,” and as children cannot consent to sex. The girls were sexually trafficked and exploited usually by much older men. The use of women’s and girls’ bodies are exploited commercially every day for marketing purposes, furthering the coercive powers pressuring these girls into continuing to sell their bodies (Morris, 2016).

Schools pushed them out of school for truancy and running away from foster homes. Schools officials and institutional officers rarely inquired about their experiences with the sexual violence that heavily influenced their lives and decision-making. One girl stated that she would “ho”—prostitute—herself to make her feel “like a businesswoman” (Morris, 2016, p. 107). She was raped at a young age and forced into sexual exploitation by her rapist. This alarming narrative demonstrates how schools and gendered commercialism contribute to the pattern of exploitation by pushing students out, reinforcing “school-to-confinement pathways.”

Morris (2016) states that Black girls experience forms of confinement beyond merely going to jail or prison. Carceral experiences expand beyond prison walls through various measures such as electronic monitoring, detention centers, house arrest, and other forms of social exclusion—including gender discrimination and sexual exploitation. However, she finds that Black girls face confinement and limitations in schools and detention centers, regardless of whether or not they are classified as high achieving students. Morris finds that Black girls are expected to align their behaviors with expressions of white femininity, causing Black girls to be labeled as loud, defiant, and unruly. She highlights how Black girls are subject to disciplinary measures when they ask questions for clarification and when they speak up for themselves in moments of mistreatment (Morris, 2016).

This pervasive structure of confinement demonstrates how Black girls face confinement pathways both within and outside of schooling settings, forcing them to face racial oppression and patriarchy at every level. Morris provides a compassionate model for both understanding and supporting some of the most vulnerable and easily forgotten student populations. *Pushout* joins emerging K-12 education scholarship that pushes STPP literature forward by centering the racialized and gendered experiences of Black girls. Further, it proves the absolute necessity for education justice work to address the intersection of race and gender (Lei, 2003; Crenshaw et al., 2015; Hines-Datiri & Andrews, 2017).

School as a Part of the Prison Industrial Complex. Scholarship on the abolition of prisons is largely contained to prisons (Davis, 2003), however in order to fully grapple with issues of the prison industrial complex scholars must first realize how prisonlike discipline practices have infiltrated our everyday lives. “Schools and the prison industrial complex are not joined by a pipeline. They are, in fact, interconnected parts of the same political economy”

(McGrew, 2016, p. 359). By pinpointing public schools as an integral part of the U.S. punishment culture, researchers of law and social sciences will be able to better understand the manner and extent in which education has become a site of punishment.

Erica Meiners (2007) explores the interlocking structural processes, which connect the prison industrial complex and education. She offers a nuanced examination of the systems of thought that normalize mass incarceration along with patently discriminatory educational practices. The prison industrial complex “encompasses the expanding economic and political contexts of the corrections industry” including the “production, marketing, and sales of technology and security” required to expand prison commerce (Meiners, 2007, p. 2). Notably, the prison industrial complex extends the legacy of white supremacy as its foundational principles have been tied to the deliberately racialized war on drugs (Meiners, 2007; Alexander, 2012).

Meiners (2009) suggests that prisons and schools are public pathways that signify deep histories of structural inequities. Starting as early as preschool, children of color are suspended and expelled at higher rates than white children. Black students often face disproportionate rates of punishment with no differential rates in misbehavior (Simson, 2014). Racial disparities are prevalent throughout U.S. society as it holds 25% of the world’s total incarcerated population while only accounting for 5% of the world’s populace. Almost seven million people are under state control when considering those on probation and parole—this excludes those housed in Immigration detention centers (Meiners, 2007).

According to Meiners (2007), there is less of a pipeline between schools and jails because policy and practices exhibit a persistent nexus of punitive threads. She states that prisons “provide a place for the bad people to go, thus extending a value system that isolation and

punishment are ‘just’ responses to outlaw emotions or acts of violence” (Meiners, 2007, p. 182). Surveillance systems have always been constructed on binaries of good and bad, and often hinge on racialized and gendered difference. However, scholars from various disciplines have outlined several punitive mechanisms used throughout U.S. history that prove that criminalizing “bad people” often has no indication on criminal behavior (Wacquant, 2001; Muhammad, 2010). Unfortunately, this lack of causation is also linked to the suspension, expulsion, and ill treatment of students in schools. Thus, the pushout crisis is deeply connected to the rise of the prison industrial complex (Meiners, 2007; Heitzeg, 2016; Sojoyner, 2016).

Educational Reform Industrial Complex. Fasching-Varner and colleagues (2014) stretch the STPP framework as they argue that no STPP “crisis” exists because the educational and criminal justice systems simply function as designed. They acknowledge the substantial economic gains for big business in the forms of the prison industrial complex and educational reform industry. Policies for each industry are “joined-at-the-hip” as a part of an economic model of free-market capitalism, where privatization and exploitation continue to disparage our society’s most vulnerable populations. The authors provide a wide range of data including disaggregated prison data, wealth disparities, and unfair sentencing laws as a means to prove their claim that imprisonment and schooling are vehicles for political, economic, and social control.

“Educational and penal realism” is a concept derived from racial realism, a popular construct of critical race theory addressing the permanence of racism (Bell, 1987). Bell’s racial realism simply states that Blacks will never gain equality in the U.S. and will always be relegated to second-class citizenship due to the pervasive nature of racism and white supremacy. They argue that the educational system has produced no sustained or substantive gains in achievement

or access for children of color, and that racial disparities have always plagued the criminal justice system. Within the educational and penal realism construct, the employment of racial realism allows for the authors to center race and economics in their analysis of schooling and prisons.

In order to solidify the construct, Fasching-Varner and colleagues provide seven tenets of educational and penal realism: (1) There is no crisis in schools or prisons as each are designed to sustain stratification in society; (2) schools and prisons will never serve the interests of the underrepresented but they will serve dominant populations; (3) economics drive educational and correctional decision-making in order to isolate the marginalized from the oppressors; (4) all actors in the system contribute to and benefit from oppression with limited incentives to challenge the privileged; (5) personal and private interests allow for human sacrifice, sacrifices that are historically persons of color; (6) the term equality is used as a ruse to distract the masses; and (7) equity is the only potential course of action that could offset the system. (Fasching-Varner et. al., 2014).

Fasching-Varner and colleagues add another layer of complexity to current discussions of schooling and prisons as they focus on the enduring linkages of racism and economic inequality. It is important to note that educational and penal realism directly challenges popular STPP arguments that center implicit bias and student behavior. This construct not only questions why these systems continue to harm people of color at alarming rates, but it also points toward a reality that pushing Black youth out of schools has little to do with their behavior and everything to do with their racial and economic exploitation. The work of Noguera (2003) and Meiners (2007) paved the way for Fasching-Varner and colleagues along with other critical K-12 education scholars that contend with the complexities linking schools and prisons (Allen &

White Smith, 2014, Weissman, 2014; Heitzeg, 2016; McGrew, 2016; Morris, 2016; Sojoyner, 2016; Hines-Datiri & Andrews, 2017).

Youth Control Complex. Rios (2011) takes account of the cycle of punishment and incarceration that Black and Latino boys face in Oakland, CA. He defines the youth control complex as “a ubiquitous system of criminalization molded by the synchronized, systematic punishment meted out by socializing and social control institutions” (Rios, 2011). He considers the complex as being comprised of a web of institutions beyond schools, including the criminal justice system, media, families, businesses, residents, and community centers. He argues that these institutions work in tandem collectively punishing, stigmatizing, monitoring, and criminalizing young people as a means to control them.

He credits the community as having a profound and essential impact on the socialization of youth (See Park, 1915). For many of these boys even the recreational center served as a space where they were subjected to punitive treatment and surveillance—if they were even granted access. His analysis of the punitive nature of the complex in everyday spaces challenges the heavy reliance of “individual choice” discussion that dominant discourses employ. Under the youth control framework, Rios argues that for many youth of color there is no escape from surveillance, punishment, and criminalization, providing them no rights to serve as property as value within their own neighborhoods.

Rios (2011) places the youth control complex in historical perspective by acknowledging that it is not a new phenomenon. He states that poor and racialized communities have been subjected to punishment and unjust criminalization from the very inception of the U.S. He points to the black body as a target in which criminalization and punishment have been “executed and perfected” (Rios, 2011, p. 161). Zero tolerance policies in schools simply align with other

historical forms of state sanctioned forms of racialized punishment measures against communities of color. He argues that each criminalizing measure is disguised as a protective mechanism protecting dominant and privileged social populations from disruptive populations that operate outside of the realm of the stipulated norm (Rios, 2011). Rios' historical perspective provides another convincing argument that racial analyses of modern-day school and youth punishment regimes must find its roots in the U.S. chattel slavery system, with particular attention to desegregation era politics. The youth control complex provides yet another construct in which to analyze how schools are merely a part of an extensive network of institutions that exert punitive social control measures in both racialized and gendered manners.

Medical Industrial Complex. Heitzeg (2016) steps outside of the traditional parameters of STPP literature to implicate the medical profession when underlines the growing convergence between special education and medical systems of social control. According to Heitzeg, the rise of the prison industrial complex has been complemented by the rise of the medical industrial complex, which relies heavily on the diagnosis and treatment of various conditions as sickness and not crime. The medical model of social control, like the prison model, has also drifted into public schools where Black youth are disadvantaged due to race, class, diagnosis stigmatization, and federal funding. (Heitzeg, 2016).

The expansion of the medical industrial complex aligns with the War on Drugs as its expansion particularly involves the treatment of substance use disorders. By utilizing a model of medicalization for substance abuse, certain drug offenders were able to avoid becoming trapped within the criminal justice system in order to obtain treatment for their addictions. Although there are no real differences in drug usage by race, white middle and upper-class drug users have been able to access these expensive medical services, to avoid the harsh legal consequences of

the Drug War (Alexander, 2012). Therefore, those who can afford treatment are directed to the medical industrial complex while those who cannot afford treatment are directed to the criminal justice system (Heitzeg, 2016). Similarly, her analysis of youth medicalization in schools highlights how many white students are labeled with the socially acceptable diagnoses of ADHD or Oppositional Defiance Disorder, while Black students are more often diagnosed with behavior conditions, such as Conduct Disorder, that are commonly tied to the juvenile justice system. This demonstrates how the racial contradictions of the medical industrial complex extends to schools allowing for medical stigmatization to raise the risk of criminalization for some students (Heitzeg, 2016).

Enclosure Model. Sojoyner (2016) examines the root causes of California's expansive prison system while making valuable connections in public schools and educational policy. He addresses a significant gap in educational literature by problematizing the notion of the STPP. Sojoyner follows in Rios' (2011) analysis about the complex nature of punitive social control through his argument stating that the relationship between public school and prison systems are less of a pipeline and require a more nuanced description of how they disrupt and impede efforts to stimulate Black liberation. Much like Anderson (1988) and Ladson-Billings & Tate (1995), Sojoyner recognizes that the formal education of Black people has been about the suppression of Black freedom (Sojoyner, 2016). Inspired by a long lineage of radical Black scholarship including the likes of Du Bois' *Black Reconstruction* and Robinson's *Black Marxism*, Sojoyner's enclosure framework refers to the seen and unseen forces that are representative of social mechanisms that limit the educational experiences of people of color; one notable example is intense racialized policing.

He delivers a unique analysis on the power of ideology through what he calls cultural enclosures. Sojoyner argues that Black culture has always been key to struggles for Black liberation, and Western Christianity served as the central force of enclosing Black cultural expression. Through his comprehensive analysis of Christian ideology and institutional formation, he expresses how Christian doctrine has been key to abridging Black resistance and cultural maintenance in the U.S. dating back to the antebellum era (see Gotanda, 1991; Robinson, 2000). Sojoyner then draws parallels to educational policy and practices that serve as cultural enclosures in the twenty-first century. Sojoyner's enclosure analytical framing explicitly challenges Western epistemologies throughout the text with the incorporation of radical Black thought and epistemologies. His reliance on Black scholarship combats colorblind ideologies that promote ahistoricism.

Sojoyner's (2016) enclosure model captures the multidimensional process that has brought us to an era of mass incarceration, intense racialized policing, and various political and economic assaults on education. While the term enclosure most commonly suggests physical barriers meant to limit the freedom of movement, it also refers to undetected forces in which Sojoyner argues are just as powerful as the perceivable forces. He offers enclosures as symbolic of social mechanisms that construct limiting notions of race, gender, class, and sexuality. Enclosures also embody the withdrawal and denial of services and programs that are vital to the strength and well-being of communities (Sojoyner, 2016). Sojoyner's enclosure model places the historical struggle over Black education within its proper context. He provides that "Black education in the United States is rooted within a general historic tension between the liberatory desires of Black communities and the attempted reinscription of Black subservience via the economic, political, and gendered demands of a racial capitalist state apparatus" (Sojoyner, 2016,

p. 148). Put another way, historically Black education has always been linked to the needs of white capital interests, irrespective of whether those interests can be understood as Southern or Northern based (See Anderson, 1988).

These school discipline frameworks demonstrate only a fraction of what can be learned when research studies center people of color's life experiences of state-sanctioned violence and oppression. The studies were conducted within various types of educational settings. Standing alone each demonstrates the necessity of continued research and study of racism, sexism, and other structural inequalities in and beyond school settings. However, when considered collectively these frameworks demonstrate how schools are still sites of contest for Black youth, where they constantly navigate psychologically violent terrain as they seek quality educational experiences. Each framework ties school discipline to an aspect or structure from society that infringes upon the bodily movement of youth. Most importantly, they exhibit how Black students face various forms of exclusion and disenfranchisement whether pushed out or within the school walls.

CHAPTER 3: THEORY & METHODOLOGY

The history of Black liberation and freedom scholarship is rich in theoretical substance and has always been grounded in the commitment to advance the lived experiences of those at the center of analysis. Throughout the history of the U.S., Black education has served as a political—and sometimes literal—battlefield (Du Bois, 1935; Anderson, 1988). Black liberation efforts have always been inextricably linked to Black education.

Within this embedded case study, I position my theoretical analysis within the Critical Race Theory (CRT) constructs detailed below. I have done this by mapping public education as a geographical terrain of struggle and surveillance for Black youth; where they face constant forces of carceral power (see generally Harris, 1993; McKittrick, 2006; Pacheco & Velez, 2009; Annamma, 2014; Shabazz, 2015; Sojoyner, 2016, Annamma, 2017). I explore how the law, legal process, and educational policy operate simultaneously to aggravate, disrupt, and criminalize their cultural existence and expression (Harris, 1993, Haney Lopez, 1996; Sojoyner, 2016).

Through understanding North Carolina's desegregation era educational politics concerning Black youth, I hope to provide a rich context-filled analysis of the current state of racial disparities in school discipline by placing it in its proper historical perspective. To achieve this end, this study connects the 1954-1973 period of Wake County and N.C. politics-at-large to modern day education politics, marking the desegregation era as a crucial cornerstone of the school pushout phenomenon. This is done to directly address the ahistorical approach of much of the STPP literature.

Further, it likens school pushout to the legal struggle over for voting rights and political participation during the 1950s and 1960s. As forms of racialized disenfranchisement, each is deeply entrenched into legal and political systems, allowing for structures of racial inequity to

remain lodged within what has been marked white supremacist terrain. This legal, political, and social terrain in which the study's participants have extensive lived experiences in.

In addition to utilizing CRT, Black Geography, and Musical Discourse Analysis for the theoretical framing, this study includes in-depth semi-formal interviews, and case analysis of one school suspension legal proceeding. Interviews were conducted with parents, grassroots activists, attorneys, a judge, a state lawmaker, and school administrators. The study engages with multi-generational education and civil rights advocates in order to grapple with how to disrupt enduring inequities. This is a critical element as these advocates' lived experiences of racism and schooling are interwoven with geographies in North Carolina, in the social sense as much as the physical sense, and their advocacy has been primarily housed within organizations and institutions in Wake County.

Theoretical Framework - CRT, Black Geography, and Musical Discourse Analysis

Historical Foundations of Racial Theory. One fundamental role of modern racial theorist has been to continue the work of critical Black scholars and activists that have contributed to our earliest understandings of the and "color line" (Du Bois, 1903). Although scholars such as Anna Julia Cooper, Ida B. Wells, W.E.B. Du Bois, Carter G. Woodson, Frederick Douglass, and Franz Fanon did not outline their scholarship through one unified theory or discipline, their work is proof that there has always been a need for race research in education (Crenshaw, 2011; Zuberi, 2011). Most importantly, their work was always grounded in the lived experiences of people of color, promoting social equity during their own respective freedom struggles. For early race scholars, Black freedom and Black education were one in the same.

Racial theory must work through, above, and beyond western epistemologies that traditionally claim objectivity, at the expense of racial analysis (Leonardo, 2013a). Thus, racial

theorists are continuously challenged with the task of utilizing what Lorde (1984) refers to as “the master’s tools” in order to “dismantle the master’s house.” Similar to the frameworks pushing beyond the STPP listed above, the engagement of racial theory and centering of racialized bodies in this study serves to better understand and combat institutionalized racism, in addition to better contextualizing school pushout. CRT and black geography directly challenge the undertheorization of race and gender in western epistemology and will be employed to engage insurgent Black educational politics. While Music Discourse Analysis explains how Black American musical artists have worked as social agents utilizing both music—sonically—and language—verbally and written—to engage with the social world around them. These grouped frameworks will be utilized to survey the manner in which education—for Black folk in particular—has always been obstructed by white capitalist interests endorsing resistance and punishment of black freedom struggles (Camp, 2016; Sojoyner, 2016).

Critical Race Theory. Originally CRT developed in legal studies as many legal scholars of color felt that liberal legal scholarship, Critical Legal Studies (CLS), focused too narrowly on class issues, discounting racial analysis. CLS failed to address the racialized and gendered nature in which the law functions (Leonardo, 2013a). Ultimately, CRT popularized the practice of questioning the intellectual assumptions of white supremacy in the law (Zuberi, 2011). Many of the founding CRT scholars worked closely with various freedom struggles of the mid-1900s such as school desegregation and women’s rights. They found that freedom struggles were stifled by the very same practices and ideologies used in CLS, which promoted incremental progress.

In order to address this gap within progressive scholarship, they crafted the core tenets of CRT: recognition of racism as pervasive to U.S. society; challenge of dominant legal theories of neutrality, objectivity, colorblindness, and meritocracy; challenge ahistoricism; recognize the

experiential knowledge of people of color; interdisciplinary in nature; and work to eliminate racial oppression as well as all forms of oppression (Matsuda et al., 1993).

Introduced by Ladson-Billings and Tate (1995), CRT has become the dominant framework for a critical study of race and education (Leonardo, 2013a). CRT in education derives from its legal disciplinary predecessor and continues to utilize the core principles, tenets, and constructs of CRT in legal studies. Building on the legal foundation, Ladson-Billings and Tate (1995) aims to untangle democracy and capitalism. CRT in education is a radical critique of the status quo and purported educational reform movements. CRT in education scholars hold that racism is endemic in U.S. life, landmark educational legal precedents were ineffective, and claims of objectivity and colorblindness must be confronted. Like its legal forerunner, CRT in education thrives in its dedication to interdisciplinary research with anthropologist, sociologists, philosophers, and educators utilizing CRT lens to study educational settings. Notably, CRT in education has established a number of constructs to analyze race in education.

Dixson and Rousseau (2006) highlight eight CRT constructs that scholars utilize study race and racism: (1) Whiteness as property; (2) Intersectionality; (3) Critique of colorblindness and liberalism; (4) Interest-Convergence; (5) Racial realism; (6) Restrictive vs. expansive notions of equality; (7) Counterstory; and (8) Social Change. Due to their rich influences on studies in education it is important to briefly elaborate on the legal understandings of intersectionality, voice/counterstory, whiteness as property, and critique of colorblindness and liberalism.

Voice/Counter Narratives. Counter narratives serve the essential function of challenging the stories of dominant group (Dixson & Rousseau, 2006). Dominant groups employ narratives in order to reinforce dominant identities in relation to “others,” continuously naturalizing their

superior position (Delgado, 1989). In contrast, CRT utilizes the subjectivity of voice as a means to allow the lessons and experiences of people of color to serve as empowerment, not domination (Delgado, 1989). Counter narratives are used as valid forms of evidence presenting qualitative perspectives on discrimination, challenging the Western epistemological reliance on quantitative inquiry and claims of “objectivity” (Bell, 1992; Cook & Dixon, 2012). Further challenging dominant principles, CRT does not purport that counter narratives serve for its truth content, but more importantly for its truth effects (Leonardo, 2013a).

Therefore, counter narratives serve to activate the experiences of marginalized populations to challenge the dominant narrative of white supremacy (Cook & Dixon, 2012). Counter narratives must be accompanied with a deeper CRT analysis (Dixon & Rousseau, 2006). By integrating other CRT constructs such as social change and activism, voice scholarship takes action in order to improve the life experiences of people of color.

Whiteness as property. The origins of race and property rights in the United States have always been rooted in racial domination (Harris, 1993). This construct is popular among scholars that are concerned with the impact of whiteness on social and institutional processes. Harris (1993) outlines the manner in which whiteness—simultaneously as an identity and property interest—mirrors property rights through exploring the legal understandings and history of property law.

Haney Lopez (1996) provides a historical overview of the institutional implementation of whiteness through the law. The law is an essential vehicle in the normalization and naturalization of whiteness as the ultimate inventor and ever-present reformer of race, put another way how “the law shows society in the act of inventing race” (Fields, 1990, p.107). Arguably one of the

most essential property rights—citizenship—in the U.S. has historically been premised on one’s proximity to whiteness and distance from blackness (Haney Lopez, 1996).

Critique of colorblindness and liberalism. “If the problem of the twentieth century was, in W. E. B. Du Bois’s famous words, “the problem of the color line,” then the problem of the twenty-first century is the problem of colorblindness, the refusal to acknowledge the causes and consequences of enduring racial stratification” (Murakawa, 2014, p. 7). Gotanda (1991) argues that dating back to the civil war, the U.S. Supreme Court effectively fosters white racial domination through its utilization of colorblindness (Gotanda, 1991). Under colorblind ideology, the state takes the position to never consider race in order to address racial problems. Colorblindness ignores the ordinary lived experiences of racism that people of color face, and thus regulates knowledge production about race (Crenshaw, 2011). As the dominant racial discourse, colorblindness activates the maintenance of racial subordination.

Colorblind ideology is rooted in contradiction because it requires a deeply politicized form of race-consciousness, as it operates with the historical devices of white supremacy. The outright refusal to acknowledge the likelihood of racial difference as a root cause of many discriminatory actions has served as a powerful tool of public and private forms oppression for centuries in the U.S. Colorblindness reveals itself in superficially innocent discourse, while underhandedly pathologizing people of color (Dixson & Rousseau, 2006). The explosion of the prison industrial complex serves as prima facie evidence of the enduring discriminatory legacy of “law and order” politics of the 1960s (Lopez, 2014; Murakawa, 2008; Murakawa, 2014; Alexander, 2012). Like the use of colorblind approaches to “law and order,” colorblind approaches to disparities in school discipline data constitutes an activation of white resistance to Black freedom.

Black Geography. Ferguson (2000) explains that “[s]tatistics about school trouble and punishment provide a map that delineates a raced and gendered pattern of who gets punished in school and present the big picture of a disturbing phenomenon, but they can tell us very little about the actual processes that give rise to this configuration” (Ferguson, 2000, p. 7). In order to explore this disturbing phenomenon, it is crucial to recognize that “Black matters are spatial matters” (McKittrick, 2006, p. xii), and “Black spatial matters matter” (Shabazz 2015, p. 3). Throughout the history of mankind, we all produce, know, and negotiate space on different terms (McKittrick, 2006). Geographies of the African diaspora, particularly in the United States, are emphasized by historical racist structures and their continuing hierarchical patterns rooted in spatialized violence against black bodies (McKittrick, 2006; McKittrick, 2011). Browne (2015) locates historical methods of surveilling blackness as terrains of struggle in the transatlantic slavery, the design of the slave ship, the Book of Negroes, the Panopticon, and lantern laws. Shabazz (2015)—in addition to surveillance, locates the gendered and racialized geography of carceral power in twentieth-century Chicago’s Black Belt through architectures of containment in kitchenettes, urban planning, and policing (Shabazz, 2015). Through applying a Black geographical analytical lens, I anticipate discovering that North Carolina’s school disciplinary structure and educational politics have constructed public schools as another critical site of Black geography enveloped by carceral power.

Repetitive social practices produce spaces and directly impacts how we arrange, construct, and conceive our environments (McKittrick, 2006; McKittrick, 2011). Therefore, when practices of domination are reinforced as the principal viewpoint, both identity and place are naturalized, repeatedly determining where groups naturally belong in society. Practices of carceral power in policy mold public school environments with racialized violence and serves as

a socially stratifying mechanism, following the desegregation era blueprint for teaching youth whether or not they belong. For Black youth, the utilization of racism in carceral settings generates space that is constrained by “human disempowerment and dispossession” (McKittrick, 2006, p. 3).

This theoretical framework is crucial because it places blackness at the center of analysis as blackness “has been translated as ungeographic” where traditional geography is practiced through white European practices (p. 5). In particular this lens situates dispossession as a significant racial narrative. Black geographers reckon with how U.S. society continues to socially and economically rate ownership, domination, and human value (p. 5).

McKittrick’s theoretical inquiry of black geographies also employs Édouard Glissant’s “poetics of landscape” as a means to theorize geographic expression by writing, saying, feeling, and imagining space and place (McKittrick, 2006). Poetics of landscape—both written and unwritten, awakens language, offering intelligible and visible black struggles. She states that “[t]he poetics of landscape discloses the underside, unapparent histories and stories that name the world and Black personhood” (McKittrick, 2006, p. 14). This complex sense of place creates a way to confront traditional methods of geographic analysis, as the spatial undertones linked to narratives of selfhood are obvious. By utilizing McKittrick’s (2011) “black sense of place” this analysis allows for a rich examination of the destruction of Black schools during the desegregation era. By examining a black sense of place this design will allow for blackness, violence, and place to be addressed as a means to reflect on how post-slavery Black geographies in the U.S., such as the pushout phenomena, are connected to traditions of domination and deliberate attempts to destroy safe havens of Blackness.

The introduction of the Black subject to geography through the naming of place facilitates a “process of self-assertion and humanization” (McKittrick, 2006, p. 14). Further, this assertion of prominent Black geographic presence rejects notions of colorblindness as it wholly transforms human geographies that have traditionally been marked as transparent space. McKittrick describes transparent space as the idea that space “just is,” does not require critical examination, and is easily understood (McKittrick, 2006, p. 7). Black geographies are “subaltern or alternative geographic patterns that work alongside and beyond traditional geographies and site a terrain of struggle” (McKittrick, 2006, p. 7). This lens is useful for exploring education politics and policy as an essential cornerstone of the racialized landscape of punishment and control, particularly for the Black body.

By concentrating on how educational politics flow from historical geographic patterns of Black alienation, this theoretical frame brings into focus the manner in which this educational alienation hastens the expansion of marginalization. A Black geographical analysis will explore the historical context behind how Black youth are easily dispossessed of their educational necessities, unlike their white peers (Morris, 2016). This contradiction follows traditional geographic imaginations—disciplinary and spatial—of racialized surveillance and subscribes to the notion that Black youth are chronically out of place.

Although McKittrick and Shabazz each provide rich theoretical analysis of the political, racialized, and gendered aspects of Black geographies, their analysis lacks a necessary connection to the economic aspects racialized containment. Ruthie Gilmore provides that much of the existing social formation has been created by and through economic crises—ranging from the removal of indigenous people to the explosion the prison industrial complex (Gilmore, 2007; Gilmore, 2008). When considered along with Harris’ (1993) whiteness as property construct, we

are able to draw apparent connections between capital, geography/land, rights, racism, and violence. This pairing of theoretical frameworks positions this study to better reckon with the political and economic complexities of the education & school disciplinary systems.

Musical Discourse Analysis. This study utilizes musical and Jazz epistemology as a source of social analysis that contributes greatly to the more standard social science methods. In order to grapple with the manner in which artists and listeners engage with music socially, this study engages Musical Discourse Analysis. The theory has its roots in Critical Discourse Analysis developed by Fairclough (2003, 2006).

There are key components of musical discourse, and they are “semiosis,” “social agents,” “social context,” and “text.” Each is interconnected and critical in musical discourse analysis. Put simply, “depending on the social context, social agents, who are in specific social relations, employ specific semiosis and produce a text, which is associated with a particular social context” (Aleshinskaya, 2013). The various components can be analyzed from differing angles, to create detailed illustration of various genres of musical discourse.

The *social context* is essential to the way that social agents, in certain social relations, communicate and what language (semiosis) they use. The concept of social context is extremely broad and can be a place, time of communication, containing various social factors and so forth (Aleshinskaya, 2013). For Black musician creating liberation and protest music in the United States, the social context has always been laden with the remnants of slavery and has been stressed by the backdrop of racial oppression. Their musical performances and recordings cannot simply be divorced of the social happenings of the times, particularly when we have evidence of

their lyrics and personal advocacy and interviews that confirm the manner in which they engaged with their social context.

Social agents in musical discourse perform various roles from musicians, vocalists, song writers, managers, producers, music critics and journalists, radio DJs and many other representatives within the modern music industry, which includes consumers of musical products (Aleshinskaya, 2013). Social agents differ in their level of expertise, from professional, to semi-professional, to non-professional. Musical communication amongst professionals may be extremely technical, however it may have an extensive effect on the musical landscape.

For example, Black Jazz musicians that became disenchanted with white musicians overtaking jazz, a musical genre in which they felt was created for and by Black people, created a more experimental music with more difficult riffs and complex melodic and harmonic schemes. Most notably led by artists like John Coltrane, a new subgenre of jazz was forged into what is now considered Avant-garde jazz. Not only was this a profound musical statement, but when placed alongside the social context of the 1950s and 1960s, it is a profound social and political statement.

However, professionals can also communicate with semi-professionals and non-professionals alike. We see this most commonly with song lyrics in which meaning can easily be translated. Further, songs can be up-tempo or slow, in various keys and meters, or have various styles and genres, all of which meaning, emotion, and feeling can be derived to varying degrees. This is precisely how a song like Nina Simone's Mississippi Goddam is powerful because she coupled inflammatory protest lyrics to an up-tempo bouncy show tune musical pulse while she singing about how progress in the American South is too slow. As a social agent, Nina Simone

provides a perfect illustration of how music artists serve as social agents to operate within their social context in order to make an impact on the social context in which Black people and society at-large live, which is distributed through text and semiosis.

Social relations are more related to the sound engineering and musical performance aspect and may either be symmetrical (horizontal) or asymmetrical (vertical). In each musical group there is a leader that holds a higher position, or musicians may position themselves higher in relation to, for instance stagehands or sound engineers (Aleshinskaya, 2013).

Text is a product of social activity, and it is a direct result of interaction between social practices and social agents. There are two main types of texts, “texts” and “musical texts.” Verbal texts that relate to music appear in various types of sources including but not limited to journals, websites, interview records, contracts, etc. and can be written or spoken. Musical texts include musical notation, tablature, CDs/DVDs, tracks, singles, EPs, albums, etc. Musical texts can be written or performed (Aleshinskaya, 2013).

Semiosis is verbal language. Musical discourse is attractive for research on linguistics because of the global character of the English language in modern musical art. Aleshinskaya (2013) explores the ways that social agents make use of language resources to achieve different goals associated with their professions in various professional contexts. Aleshinskaya points out song lyrics, live performances, musical interviews, musical reviews, jam sessions, professional internet forums and academic publications as seven genres in which to analyze social agents’ language. Song lyrics are typically characterized by the lack of specialized language, however when considered within the social context in which Black liberation and protest music like jazz and hip-hop reside, lyrics take on a much more powerful social and political meaning. In

particular, song lyrics in hip-hop have already been thoroughly examined and widely discussed in regard to their pedagogic and linguistic value (Murphy 1990, 1992; Akingbe and Onanuga, 2020).

Akingbe and Onanuga (2020) highlight that protest is the main instrument for the accomplishment of what Paulo Freire calls ‘the great humanistic and historical task of the oppressed: to liberate themselves and their oppressors as well’ (Freire 1972, 21). They suggest that protest is one of the major ways that society is able to make progress. Further, Berger (2000) posits that music as a ritual of social protest, is inextricable from social change. For the Black American musician of Black liberation and protest music from the desegregation era until now, this truth has remained. From Billie Holiday to H.E.R. our music, our words/language/semiosis, speak both in the present and live for generations as we continue to fight against racial oppression.

Interviews, similar to music performances, speak to social agents’ creative process and social and political mindset when creating. Within the Black liberation and protest music tradition musicians and vocalists cannot be seen as mere apolitical musical performers, when at times their very existence speaks to a political struggle that they and generations of their ancestors have had to survive. Social agents’ musical discourse speaks not only amongst themselves, but to music consumers as well. This theory unveils how such an orchestrated and complex form of protest contributes directly to social science research.

Methodology

Qualitative Design. Creswell (2014) defines qualitative research as “an approach for exploring and understanding the meaning of individuals or groups ascribe to a social or human

problem” (p. 4). By engaging a qualitative lens in this study, I aim to capture the lived experiences of education justice advocates that have experienced anti-Black racism in education and political participation. I analyze those experiences as a means to better understand the ways in which education advocates can struggle for the total disruption of enduring racial inequities. The theoretical underpinnings undergird the usage of a qualitative design as participants narratives of experiencing systemic racism are centered.

Bonilla-Silva and Zuberi (2008) state, “Data do not tell us a story. We use [quantitative] data to craft a story that comports with our understanding of the world” (p. 7). Numerical data may show what is happening, but cannot grapple with the why, how, social context or systems of power at play (Zuberi & Bonilla-Silva, 2008). In this case, the data of school expulsions and suspensions standing alone fails to fully encompass the full picture of how these particular issues came to be. I seek to capture thick descriptions of the social, political, and legal context along with the historicization of school pushout of this case with interviews, observations, and case analysis. It is for this reason that I chose to only utilize qualitative methods.

Embedded Case Study. The embedded case study is a case study that consists of more than one sub-unit of analysis—such as interviews and case analysis (Yin, 2003). This design allows for the integration of different types of knowledge, comprising of diverse stakeholder and disciplinary perspectives, such as the multidisciplinary CRT and Black geography lens. This design has been utilized to describe the features, process, and context of the pushout crisis (Scholz and Tietje, 2002). This approach has a unique strength in its capacity to combine an assortment of material sources incorporating documentation, interviews, and artifacts. Thus, this design utilizes several forms of evidence in order to add range and complexity to data collection and contributes to the authenticity of the research by providing a rich compilation of triangulated

data together with a heightened understanding (Yin, 2003). The embedded design allows for analysis of state, district, and local evidence to be compiled in this study to explore the historical background and multilayered nature of institutions feeding into the state's school pushout crisis.

Setting. The Wake County Public School System (WCPSS) is located in central North Carolina, where the state capital Raleigh is located. WCPSS was primarily selected as 2009-2010 data ranks it ninth nationally of districts with the largest number of “hotspot” secondary schools—indicating 25% or more of any racial subgroup of their total student body is suspended (Losen & Martinez, 2015). Further, during the 2011-2012 school year Black students in Wake County were six times more likely to receive a suspension than white students and comprised of less than 25% of the student population Black students accounted for over 60% of suspensions (Evans, 2015). As of the 2019-2020 school year the district was home to over 160,000 students, with 116 elementary schools, 37 middle schools, and 29 high schools.

The state of North Carolina serves as a critical component of this study as its history of Black education is vital in understanding WCPSS' handling of current day Black students. North Carolina's reputation as a moderate Southern state can shed light on ways for WCPSS and other state educational institutions to move forward in the future. At the time of writing, Raleigh is again at the center of major legal battles concerning fair voting such as: gerrymandering and voter ID laws, causing legal scholars to recognize the mirroring patterns in which policymakers “use race as a tool in the in the struggle for political dominance” from the late-19th century into the 21st century (Curtis, 2016). Located squarely within this contentious political atmosphere, WCPSS is uniquely situated and ripe for a rich educational policy and racial analysis. Black North Carolinians' continued struggles with disenfranchisement provides a rich contextual background for how their collective power has been legislated and diminished institutionally.

Actors. The interview pool consists of two WCPSS parents, two attorneys, two grassroots activists/educators, one judge, one state legislator, and two WCPSS school administrators. Participants were selected according to varying degrees of experience, some with less than 10 years of experience and others over 40 years. This multi-generational sample is of particular use in order to gain proper perspective and to examine the seven decades from the 1950s to 2020. Four participants were chosen because they attend schools during de jure segregation, and their educational experiences and subsequent history of advocacy provides us with vital information about today's racial disparities in school discipline. The rest of the participants attended schools after integration ranging from the 1970s to the 2000s.

The more experienced interview participants provide insight into the political and social history of WCPSS and North Carolina to illuminate the political underpinnings of Black education and pushout in the state. The less experienced interview subjects provide their present-day perspective, and experiences of ground-level work in the trenches. Adults were chosen over current students due to the heavy political and historical nature of this study, as it serves to in examine the spectrum of North Carolina education policy from the desegregation era to the current time. Proper processes have been taken to obtain the consent of the research participants as well as the safeguard data. Consent forms have been submitted along with the Institutional Review Board (IRB) (See Appendix C).

Participants were recruited through a combination of purposive sampling and the snowball method. During my tenure in law school I took a civil rights education course with one participant, Irv Joyner, and our previous conversations with him about my intentions for graduate studies led me to recruit him for the study. My contacts in the education justice arena extended from conversations with him and other colleagues. Then I compiled a list of lawyers, judges,

activists, teachers, and administrators that I personally were aware of that worked in the education or racial justice arena.

In addition to having nearly three decades of experience as a former WCPSS parent, my mother and study participant Mary Evans taught as a special education teacher in WCPSS. Her WCPSS contacts proved to be extremely helpful. As I progressed in developing the project, I continued to receive dozens of referrals of individuals that fit the criteria of the study, many of which happened to be individuals that I already had previous encounters with. The number of participants were then limited to ten to ensure that the analysis could provide a thick description of the case.

Data Collection. Interviews were conducted from November 2017 to March 2018. During this time period, I resided in North Carolina to conduct in-person interviews. This included one 1-hour recorded semi-structured interview with each informant. Separate interview generic protocols were created for each general classification of participant, i.e. grassroots activist, lawyer, judge, teacher, etc. (See Appendix D; Appendix E; Appendix F; Appendix G; & Appendix H). This was done to organize general themes to be discussed during interviews. I then researched as much information as I could about each participant to prepare for their respective interviews. Semi-structured interviews were then conducted using a mixture of the generic protocols and individualized background research about each participant as dialogue unfolded. One school discipline case was collected and utilized within this study. The case analysis was aided by an interview of the student's mother and her account of their experiences with the district.

During data collection I attended school board meetings, Community Equity Leadership Team meetings, attended various political and educational rallies, in addition to serving as a

substitute teacher in WCPSS schools. These experiences in the field were critical in analyzing the educational and political landscape of WCPSS and Wake County, North Carolina. To assist in the data collection phase, I used a field log to provide a detailed account of my observations, thoughts, and experiences throughout the research process. These particular methodological choices were made based on the theoretical framework because systemic racism is felt within these spaces and institutions and I found it necessary to go beyond hearing the stories by experiencing the settings personally.

Data Analysis. To analyze the data, I applied a black geography lens (McKittrick, 2006) along with a critical race theory lens (Decuir and Dixon, 2004). These lenses complement one another for this study. Each are vital as a means to investigate the manner in which schools and public education at-large have served as spaces of social control of Black youth, limiting their opportunities for mobility and progress. While black geography seeks to engage with the manner in which lived experiences are closely related to physical spaces—such as schools, prisons, slave ships, etc.—critical race theory promotes scholarship as social activism through the examination of various understandings of race and identity in society.

Case analysis is comprised of the court documents relating to the school discipline case. This case involves a range of circumstances including the alleged battery by a student and falsified police reports filed against students by school officials. I analyzed this case to understand how law and policy shapes the experiences of Black youth through the school discipline legal process. In order to provide proper historical context, I analyzed the historical background of WCPSS.

This embedded case study design involves a detailed description of the setting, which will be followed by analysis of the data for themes. After collecting data, I organized the raw

data for analysis. Then I read and looked at all data in order to reflect over its overall meaning. Then after reading through all of the data I coded the data for themes. Throughout the coding process I generated themes for analysis and description of the setting for detailed information. Then I conveyed descriptive information about the setting in order to illuminate complex connections between themes. In the final step of data analysis, I made an interpretation of the findings.

The Researcher's Role. I come to this research as an able-bodied Black male that grew up in Wake County, North Carolina attending Wake County Public Schools. For college and law school I attended nearby North Carolina Central University in Durham, N.C. where I was able to remain in tune with the political happenings of the N.C. General Assembly and local politics. My previous experiences in the area have undoubtedly shaped my interpretations during the study. Although I was never suspended from schools, on numerous occasions I have been racially profiled inside and outside of schools by police officers and civilians alike. It was commonplace for me to witness my close friends have racialized encounters where so-called authority figures sought to limit their movement and freedom for the smallest infractions of social norms, or for simply living in a Black body. My previous experiences informed my racial justice lens; however, it did not unduly influence my interpretations about the site and data as currently constructed. For example, I was able to recognize the improvements that WCPSS has made in terms of reducing suspensions and creating the Office of Equity Affairs.

CHAPTER 4: BRIEF HISTORICAL CONTEXT

Wake County and North Carolina

Black Education. This study connects the 1954-1973 period of Wake County and N.C. politics-at-large to modern day education politics, marking the desegregation era as a crucial cornerstone of the school pushout crisis. In order to better understand the current atmosphere for racial inequity, there is a need to contextualize the past for Black education. North Carolina has long been considered—at least—a moderate Southern state for the education of Black folks. In *Black Reconstruction in America* (1935) W.E.B. Du Bois points out that throughout the Reconstruction and Jim Crow Eras North Carolina was a unique Southern state in that its educational funding for whites and Blacks were comparatively equal. However, this *Plessy v. Ferguson* inspired “separate but equal” paradigm was not devoid of deeply entrenched white supremacist logic. Within the state, the U.S. Supreme Court’s ruling in *Brown v. Board of Education* legally ending school desegregation was met with strong opposition from Black folks as well as whites.

Black folk recognized that they would lose critical control of their schools, which provided an education while also serving as a community safe haven free of white antagonism for Black youth (Joyner, 2013). Whites on the other hand, considered Black folk as intellectually inferior and largely considered integration as weakening what they considered their superior schools—only supporting Black education if it advanced a compliant labor force (Malone, 2008). An aggressive denial of Black liberation and coddling of white supremacist structures was demonstrated over and over through the ensuing educational and legal battles waged across the state throughout the Desegregation Era spanning from the 1950s-1970s. In the same way that the Civil Rights Movement and *Brown* decision must be read within the context of external pressures

of foreign affairs such as the Cold War, educational desegregation in North Carolina must be understood as charred by the flames of statewide Black liberation efforts (Janken, 2015).

Malone (2008) chronicles the pre-*Brown* experiences of a rural Black community in Northern Wake County. W.E.B. DuBois High School in Wake Forest, N.C. was literally built and maintained by its Black community. DuBois' was built in 1922 through community fundraising efforts and alliances with a northern philanthropist organization—The Rosenwald Fund. As northern white philanthropists poured millions of dollars into southern education, southern white progressives understood this as the opportunity to advance a “Talented Tenth” or Black middle-class that would protect the “flanks of white supremacy” (Malone, 2008, 423). The author highlights the extent to which Black folk in Wake Forest contributed their own finances to offset disproportionate funding to white schools, creating a deep sense of governance and ownership. Malone Invokes historian James Anderson's (1988) concept of double taxation, in which Black folk paid direct property taxes for their schools, in addition to indirect out-of-pocket expenses that white schools were summarily provided. Malone, however, fails to meaningfully engage with the community's experiences that were directly related to the white supremacist infrastructure that destroyed their community schools. Particularly his analysis of monetary contributions from white institutions falls short of recognizing their controlling effects on Black education.

Post-*Brown*, several Black folks in Wake County and many across North Carolina sought admission to white schools. Malone states, “[t]he state preserved segregated schools while seeking minimal compliance with the Civil Rights Act of 1964” (Malone, 2008, 441). The Wake County Board of Education's freedom of choice plan of 1965 reinforced this atmosphere of minimal compliance. Although it allowed Black families to send their youth to white schools, it

forced Black folks to take on the dangerous burden of integrating into racially hostile environments without support or holding whites accountable for their violence and hostility (Malone, 2008). This all took place as early as 1955, while the North Carolina Advisory Committee on Education's Pearsall Plan allowed for white parents to opt out of sending their children to integrated schools, by allocating state funds to cover the cost of tuition for those choosing private segregated schools (Malone, 2008).

In the mid-to-late 1960s, Black youth across the county and the state would transfer to white schools only to be subjected to white resistance in the form of burning crosses and other forms of racialized violence (Malone, 2008). These Black youth came from schools where their humanity was never up for debate, and often succeeded in spite of the white violence they faced. Black youth in formerly all-white schools were under constant criminalizing surveillance during the desegregation era. In some instances, white students and community members would physically attack Black youth without provocation, and only Black youth would be arrested if they defended themselves (Janken, 2015).

Instead of integrating schools on the basis of equality by sending white and Black youth in proportional numbers to previously segregated schools, school boards across the state struggled to maintain racially separate schools and many shutdown black schools, displacing only Black youth. Black youth were then sent to formerly all-white schools where they faced hostile teachers, administrators, and white students and parents (Janken, 2015). DuBois High School—like many other Black high schools in N.C. during the Desegregation Era—would eventually be downgraded to a junior high school and stripped of all of its cultural and community pride while neighboring white high schools remained wholly intact (Cecelski, 1994; Malone, 2008; Joyner, 2013; Janken, 2015). The destruction and erasure of Black schools

throughout the state displaced Black youth, along with highly qualified Black principals and Black teachers—demoting them to lesser positions, if they could secure teaching positions at all (Cecelski, 1994; Joyner, 2013).

Across the State: The Wilmington Ten. The modern-day practices of hypersurveillance of Black youth in educational spaces were fortified squarely within the social and political infrastructure of the Desegregation Era. In *The Wilmington Ten: Violence, injustice, and the rise of Black politics in the 1970s* (2015), Janken reveals this cross-generational linkage within his examination of North Carolina’s most infamous account of a Black school closure in 1969 that took place east of Wake County in Wilmington.

However, in order to fully understand the racial tensions leading up to the Wilmington Ten, one must first grapple with the city’s past as the only successful American military coup d’état in 1898. Infuriated that a bi-racial political coalition could control local and state government, white vigilantes under direction of the White Government Union—political organization formed in the capitol city of Raleigh—overtook the city slaughtering dozens of Black folks, illegally appropriating Black folks’ property and forcing hundreds into exile. Curtis (2016) draws direct correlations from this violence to education, “[d]estruction of bi-racial coalitions was a disaster for Blacks; among a myriad of other awful changes, it led to denials of basic legal rights and protections and, of course, to large discrepancies in the state’s expenditures for Black and White schools” (139). Subsequently, Blacks were disenfranchised for nearly seven decades, and in many ways the Black community in Wilmington has yet to make a full recover (Janken, 2015).

Still plagued by the lingering effects of 1898 white supremacists’ campaign, Black youth in the late-1960s continued to face considerable levels of discrimination in Wilmington. Against

the spirited objections of the black community, the New Hanover County Board of Education decided to shut down Williston High School and disperse Black youth to two formerly all-white schools. Janken illustrates that Williston was a critical feature of Wilmington's Black community, much in the same way that Wake Forest's DuBois High and others across the state that suffered the same fate. Once forced to integrate into formerly all-white schools in Wilmington, Black youth experienced countless acts of overt racial violence (Janken, 2015).

School administrators routinely allowed white adults to loiter on campus and assault Black youth, permitted white male teachers to harass Black youth, and punished Black students for defending themselves while allowing the white agitators to go unpunished. Black youth were called nigger and other racial slurs, had coaches refuse to play them, and were punished for speaking their minds such as when one Black youth was suspended for a week for talking about racial discrimination in the labor force during class. There were a number of other instances where Black youth were excluded from the educational process, all while white students' needs were met (Janken, 2015).

In January 1971, in response to their continuous mistreatment, Black youth led a boycott of the school board until they met their demands for a Black studies curriculum and the commemoration of Martin Luther King Jr.'s birthday. Janken describes the city's response as revealing, "white Wilmington's iron fist," leading the school board to levy suspensions and expulsions (Janken, 2015, 11). A repackaged version of their 1898 white nationalist forerunners, the paramilitary group, Rights of White People—ROWP, were aided and abetted by policemen and city officials as they attacked the boycott headquarters in nighttime drive-by shootings. In the overnight hours of February 6-7, 1971, chaos ensued causing widespread property damage

and arson, along with the death of one Black youth activist and one white agitator (Janken, 2015).

Ultimately, the state prosecutor along with the support of the Wilmington police, district court and appellate judges, and U.S. Bureau of Alcohol, Tobacco, and Firearms concocted one of the most infamous frame-ups of nine Black youth and one white woman—The Wilmington Ten. In 1972 the Wilmington Ten were sentenced to 282 years in prison for arson and conspiracy, although the trial was riddled with overwhelming prosecutorial and judicial misconduct. Janken outlines the outrageous lengths in which state officials—ranging from court officials to the Governor—conspired to ensure that the Wilmington Ten would not be rightfully released. After a number of failed appeals in the state court system, a federal appellate court overturned their convictions in 1980, but only after a global public outcry and extensive evidence of a frame-up. It wasn't until forty years later in 2012 that the Ten were granted pardons of innocence.

Cecelski (1994) points out that Black North Carolinians across the state organized several formal protests and placed pressure on civil rights and political leaders for racial equality in school desegregation. Black folk in North Carolina bore much of the burden for school desegregation, along with Black educational leadership. The number of Black principals in elementary schools plummeted from 620 to 170 in the years 1963 to 1970. In 1963 there were 209 Black principals in secondary schools, but less than 10 in 1970, and only 3 in 1973. Out of the states 145 school districts, 60 percent did not employ any Black administrators, and more than 3,000 Black teachers lost teaching jobs by 1972 (Janken, 2015).

The far-reaching consequences of school desegregation caused many Black communities across the state to resist. Between 1968 and 1973 student walkouts, school boycotts, protests, and lawsuits challenging desegregation plans were launched through massive grassroots efforts

(Joyner, 2013; Janken, 2015). As evidenced by the case of the Wilmington Ten and grassroots educational activism, Black youth liberation movements and Black resistance to the desegregation process caused disturbances across North Carolina. The political blueprint for denying Black youth liberation demands had been widely circulated and implemented by the time integration descended upon the state.

Scholars like Grant (2009) and Parcel & Taylor (2015) provide extensive data on WCPSS' successful initiatives such as their diversity and assignment plans. However, their racial analysis leaves much left to consider. According to Grant (2009) there was no massive resistance to desegregation such as the closing of schools under threat of violence or the issuance of tuition vouchers for the purpose of allowing white students to attend private white schools, but there was "genteel resistance" or "clever obstruction" (Grant, 2009, 85). Joyner (2013) and Cecelski (1994) directly contradict Grant's claims through their examination of Black communities across North Carolina. There was massive resistance throughout the desegregation era as Black youth and parents constantly faced physical violence from white vigilantes along with psychological and political violence from private citizens and public officials alike.

From 1968-1973, Black North Carolinians organized numerous school protests pressuring politicians for equality during desegregation as Black communities in N.C. bore the burden for desegregation (Janken, 2015). They embarked on student walkouts, school boycotts, protests, and lawsuits challenging school desegregation plans were launched through massive grassroots efforts (Joyner, 2013; Janken, 2015). School desegregation had far-reaching consequences and caused Black communities across the state to resist, often prompting political indifference from law and policymakers.

What about Wake County?

Scholars provide extensive data on Wake County Public Schools System—WCPSS—initiatives like its diversity and assignment plans (Grant, 2009; Parcel & Taylor, 2015). However, they fail to provide a contextual background for the racialized and historical nature of the area. WCPSS’ standing as the nation’s 9th most racially disparate school discipline district leaves much to consider (Losen & Martinez, 2013). In *Hope and despair in the American city: Why there are no bad schools in Raleigh* (2009), Grant claims that Wake County/North Carolina did not experience massive resistance to desegregation, such as the closing of schools under threat of violence or issuing tuition vouchers allowing white students to attend private schools, stating there was only “genteel resistance” (Grant, 2009). Joyner (2013) and Cecelski (1994) directly contradict Grant’s claims through their examination of N.C. Black grassroots struggles. Black community organizing for quality education and the white vigilante violence that actively targeted Black folk for attempting to integrate schools, can hardly be characterized as “genteel resistance.”

WCPSS has produced high test scores, low achievement gaps, and reputable diversity plans for decades, but its stark racial disparities in school discipline suggests a much deeper structural defect. Although metal detectors and large iron gates do not cage in students in like in several large metropolitan districts, WCPSS’ political history prompts vital questions as to whether its Black youth are similarly enclosed through unseen age-old structural mechanisms.

Like much of the American South, North Carolina’s desegregation era southern politics played a fundamental part in how Black folks were treated in the mid-to-late 20th century—especially Black youth. Southern desegregation era politics routinely thrived off of racial and spatial violence, extending far beyond lunch counters into courtrooms, legislative buildings,

school board meetings, and even onto school grounds. With over one million residents Wake County is the home of the state government and sits at the core of the Research Triangle Park, which houses a number of technology and healthcare employers, and a handful of major colleges and universities (Grant, 2009). For decades, the capitol city of Raleigh has been a Southern battleground in the struggle for racial equality. Prominent civil rights activist Ella Baker organized the civil rights organization, Student Nonviolent Coordinating Committee (SNCC) in 1960 at Shaw University in Raleigh, North Carolina. SNCC waged various national campaigns to advocate for the rights of Black folks.

Wake County has also served as the epicenter for a number of issues of equality in the 21st century. Led by Former NAACP State Chapter President William Barber II, many Wake County citizens were a part of the Moral Monday movement, which led weekly protests at the state legislature in the summer of 2013 leading to the unlawful arrests of nearly a thousand demonstrators (Janken, 2015). As mentioned previously, at the time of this writing, North Carolina is currently embroiled in major legal battles concerning gerrymandering and voter ID laws. Similar to the same type of laws in which policymakers have utilized anti-Black racism as an instrument for political dominance from the late-19th century into the 21st century (Curtis, 2016). WCPSS is located within Raleigh and its eleven surrounding municipalities, which is where many administrative and advocacy organizations are located. This political atmosphere is distinctive and ripe for a rich educational policy and racial analysis.

Wake County Public Schools. Five years after Wake County's 1971 official school desegregation plan was enacted, Raleigh's city school district and Wake County schools unified to create the Wake County Public School System (Grant, 2009). This happened in a context of concerns surrounding desegregation, which led to contentious partisan battles, the threat of

losing federal funding, and significant white flight in Raleigh neighborhoods, causing significant loss of Raleigh's tax base. Meaning this was not initiated due to a sudden awakening of racial progress or radical shift in moral benevolence, but it took place with a backdrop of primarily financial reasons. After years of Black advocacy, the old-guard of de jure racial segregation was finally driven out by concerns over finances, causing WCPSS to finally implement race-conscious assignment plans.

In 1981, WCPSS developed an assignment plan to establish K-12 student bodies that would be no less than fifteen percent and no more than 45 percent minority. This race-conscious diversity plan was accomplished through two components. First, the district established a magnet system in order to draw white students to Black neighborhoods where creative programs and instruction attracted many families near and far. Second, the policy involved busing many minority students to schools in white suburban neighborhoods. Through this combination of strong support for teachers, introduction of year-round schools, busing, and an extensive magnet school network, WCPSS was able to maintain its focus on diversity while still serving the needs of a rapidly expanding population of students (Grant, 2009). Sociologist Gerald Grant stretches as far as to state; "There are no bad schools in Wake County." He examines how WCPSS—which Raleigh is a part of—exists in such a large metropolitan area without the crime, achievement gaps, high dropout rates, and concentrations of poverty of other urban districts, going as far to suggest that the schools are safe and healthy learning environments for students.

By 1998, sixteen percent of the district's minority students were bused to schools in predominantly white neighborhoods in efforts to maintain the required racial mix (Parcel & Taylor, 2015). Although Parcel and Taylor address how WCPSS bused Black students outside of their own communities while white students from the suburbs enjoyed magnet programming in

Black neighborhoods, they fail to grapple with the full weight of this conundrum. Specifically, the authors leave readers with questions as to whether or not the most vulnerable students in Black neighborhoods were displaced from their neighborhoods for the benefit of “diversity.” Similarly, Grant (2009) credits WCPSS as being an “extraordinary success,” nearly reaching its remarkable goal of 95% pass rate for K-8 students in 1998, yet he also fails to meaningfully engage with the struggles of Black students displaced from their neighborhood schools.

In 1999, in anticipation of legal action challenging its racial diversity focused assignment plan, WCPSS began to lay the foundation for a diversity policy plan of assigning students to schools based on income rather than race. By 2000, the mention of race was removed from the new policy, which set a target for schools to have no more than forty percent of students that receive free or reduced-price lunches and no more than twenty-five percent of students reading below grade level. While those that opposed diversity measures understood the economic diversity plan as a proxy for race, the combination of economics and reading level were not identical metrics with race. “Around 38 percent of the county’s minority students were reading at or above grade level and did not qualify for free or reduced-price lunches, while 13 percent of whites performed below grade level and did qualify for such assistance” (Parcel & Taylor, 2015, 35).

Following the 2008 election of President Barack Obama, the Wake County Public School Board election of 2009 inspired a shift away from WCPSS’ long-standing diversity policy in favor of a neighborhood schools’ policy. Parcel and Taylor (2009) credit strikingly declining social and political trust as the reason for the election of a Tea Party-backed Republican majority on the school board. By undermining the successful diversity policy, the 2009-11 school board received very public national criticism in addition to challenges by local organizations such as

the NAACP (Parcel & Taylor, 2015). Over the last decade, WCPSS and the political realm surrounding education in N.C. has been fraught with controversy as stark racial disparities in school discipline mount, and numerous state legislature bills directly infringe upon the liberties of Black youth and other vulnerable communities. However, in order to reckon with the modern education-political realm in N.C., it is essential to take inventory of the relevant political foundations concerning the education of Black youth from the desegregation era.

By 2013, WCPSS became the fifteenth largest school district in the nation. With over 160,000 students, continuous growth, and a relatively heterogeneous population (Parcel & Taylor, 2015). For the 2019-2020 school year, WCPSS had a total population of 161,907 enrolled students, comprised of 22% Black, 18% Hispanic, 0.1% Pacific Islander, 4% Mixed Race, and 45% White (District Facts, 2020). WCPSS is unique as a large metropolitan district in which its diversity policy is a central feature.

In 2013, WCPSS created their Office of Equity Affairs where they seek to achieve equity in the classroom, in school discipline, as well as build community partnerships. According to their website, regarding equity in school discipline, they have adopted a district wide plan aimed to eliminate racially identifiable disparities in student discipline data. The district collaborates with the district attorney's office, juvenile courts, and advocacy groups to reduce number of non-violent school-based offenses that result in criminal charges. They have implemented restorative justice practices in various schools. Lastly, they have developed a Memorandum of Understanding clarifying the roles of SROs, requirements for training, and establishment of a system for collecting and reporting data to assess discipline disparities (WCPSS Equity Initiatives, 2020.).

Conclusion

Neither white violence nor Black community organizing for equitable desegregation plans can rightfully be understood as “genteel resistance.” With white nationalist organizations such as the ROWP, the actions of white North Carolinians extended beyond mere obstruction. Even though WCPSS has earned relatively high-test scores, low achievement gaps, and a reputable diversity plan for the last two decades—notable as a large urban school district—their stark racial disparities in school discipline suggests a much deeper structural defect. Wake County Schools may not have metal detectors and large iron gates caging students in—or out—like other large metropolitan districts, but its political history poses vital questions as to whether its Black youth are similarly enclosed or excluded through age-old unseen structural mechanisms. This begs the question as to whether modern state-sponsored and school board interventions such as the WCPSS Office of Equity Affairs are truly a radical shift from discriminatory policymaking or could an argument be made that it is simply a liberal rebranding of the white supremacist past—like the Pearsall Committee?

CHAPTER 5: AIN'T MISBEHAVIN'[Parental/Teacher Advocacy]

Introduction: Black Youth and Advocates “Behave” Just Fine

“Ain’t Misbehavin,” a classic jazz standard by famous stride and swing jazz pianist Fats Waller, has been recorded by musical giants such as Billie Holiday, Miles Davis, Ella Fitzgerald, and Ray Charles. In a 1941 interview with Eddie “Rochester” Anderson, Fats revealed that the song was written while he was incarcerated in alimony prison. He told Rochester, “And I wasn’t misbehavin’, see? ... you dig?” (Taylor, 2006). Evident by its commercial success, audiences and fellow artists alike identified with Fats’ impassioned appeal.

Race, culture, and behavior have been a staple of research and policy on the “Negro problem” for over a century (Muhammad, 2011), in the same ways that race, culture, and behavior have been a focal point of school discipline research for two decades. Data within this chapter mirrors previous findings that racially disproportionate rates of school pushout are not due to differences in behavior (Simson, 2014). Thus, in discussing the landscape of public education in Wake County, informants agree that Black folk have always been pushed out of public educational spaces—that is, except when those spaces have been specifically deemed as “our own.” They agree that student behavior is less an issue as much as institutionalized racism is the primary culprit, on both an individual level and systems level. Simply put, pushout and other practices of ill-treatment towards Black youth in public education ain’t nothin’ new, and no, we Ain’t Misbehavin’.

Dorothy Counts and her family, along with other pioneering black families who attempted to integrate formerly all-white schools, faced great difficulties. In Charlotte, North Carolina, Counts was one of four Black students integrating a formerly all-white school in 1957 was met by a crowd of over two hundred students, parents, and angry whites on her walk to

school. She was spit on, pelted by stones, and subjected to racial slurs, the mob tore at her clothes and the police stood by doing nothing (Richardson, 2005). The stories of Black folk across the state and the nation share a great deal of similarity. As the Holt and Campbell families that struggled to integrate Raleigh schools can testify, not only were Black folk mistreated while in the school buildings, but their families were harassed emotionally, socially, and economically outside of school buildings. Due to the fact that Black families had to make individual applications to integrate all-white schools, they exposed themselves to the publicity that came along with their efforts to desegregate. Therefore, most Black families were not inclined to take on the risks associated with integrating.

During the desegregation era, school boards also institutionalized racist values through policies that served as an essential site for depriving Black youth of more than just all-Black schools. Formerly all-Black schools were stripped of their history and culture when downgraded to middle and elementary schools. Black educators were fired and could no longer serve as guides for Black students through a country hell bent on maintaining anti-Black racist systems and ways of life. Black youth were then left to navigate formerly all-white public educational spaces with few support systems in place, leaving parental and community advocacy, as the only sources of support for many Black students.

This chapter focuses on conversations with two parents and one teacher-advocate that have served as educational advocates for Black youth in the district across five decades. Mary Evans, 71, is a mother of three and has moved around to different areas throughout Wake County but settled into Fuquay-Varina in 1984. Camille White, mother of two, moved to Wake County from Pennsylvania in 2007 where her children were enrolled in schools in the Raleigh and Wake Forest areas. Turquoise Parker, proud teacher and education advocate is not a parent; however,

she has a deep love for her students who are centered in her advocacy. Each participant underscores the point that across generations, the mere presence of Black youth in educational settings has been treated as a threat, regardless of behavior, in schools as well as in policy. While the tie to the integration era is critical as a means to understand the tensions between educational policy and Black folk in the state of North Carolina, Mary, Camille, Mrs. Parker explain how they have continued to struggle against racism as advocates on local and district levels beyond the integration era.

Mary Evans has spent over forty years as a community leader, parent, education advocate, and teacher assistant in Wake County public schools. Whether advocating for community youth at school board meetings as Vice-President of her local PTA or advocating on behalf of one of her sons and grandchildren, Mary's merging of love and advocacy is firmly rooted in her experiences as a "Black Mama." As my own mother, Mary agreed to participate in what we thought would only be a test-run recording prior my other interviews. Moments into our recorded session I discovered that her perspectives would be crucially tied to the core of this study.

Camille White is a successful business owner that relocated to North Carolina from Pennsylvania while her children were adolescents. Although Camille's advocacy has been limited to her own children, she discovered a disturbing loophole in WCPSS' discipline procedures when she questioned her son after he was long-term suspended. Never one to simply say "not my child" whenever her children got into trouble, she did find the Principal's refusal to provide her son's make-up work to be a bit alarming. Camille points out the troubling contradictions that take place when educators and administrators act in an unethical manner at

the expense of student well-being. More than anything, she highlights how parents can become reluctantly forced into positions of advocacy on behalf of their children against the system.

Turquoise Parker grew up as the daughter of the president for a local teachers' association, meaning Mrs. Parker's path to educational advocacy began at the young age of seven. She is currently a member of the Durham Association of Educators, and also serves as Vice-President of her local teachers' association. Her advocacy for her students, whom she passionately refers to as "Mrs. Parker's Professors," extends well beyond the classroom as she organizes for local and statewide educational rallies. She travels across the country speaking before various teacher's union organizations, and once her advocacy even led to her being arrested for civil disobedience.

Gentrifyin' Niggatown – Mary

Mary's neighborhood in Fuquay is on "the other side" of the railroad tracks and is commonly referred to as "Niggatown." It's where the majority of Black folk live in this sprouting residential town. Her neighborhood in 2018 looks drastically different than it did twenty years ago due to gentrification. For comparison sake, she notes that she bought her home in 1984 for less than \$40,000 but now her home is valued above \$200,000, not to mention the shift in racial demographics from almost exclusively Black to mixed. According to Mary, Niggatown's long road to gentrification began with the school district's reassignment plan of their neighborhood school in the 1980s. She recalls that during Jim Crow white folk used to refer to her neighborhood in derogatory terms as "niggertown," but now many Black folk have adopted the term by trading the harder more offensive "er" ending for the more culturally embraced version ending in a softer, less offensive, "a."

Her neighborhood's repackaging of the n-word coincides with Hip-Hop culture that spread from New York into the American South in the 70s and 80s. As Hip Hop's cross-colored clothing, rap music, boom boxes, and graffiti painting spread amongst youth in Black urban neighborhoods, WCPSS raced to diversify its schools. Mary recalls that the school reassignment process began in the mid-1980s as her middle son attended Lincoln Heights Elementary that was "right up above" her house. She acknowledges that at that time the neighborhood was low-income where the majority of the kids were Black, where there was a reputation of drugs and crime in the neighborhood, "I guess that's why they shipped the [Black] children out [of the neighborhood schools]."

Mary's understanding of policy and her community stands in direct contradiction to scholars like Grant (2009) and Benjamin (2012) who applaud WCPSS' overall diversity policies. Grant (2009) demonstrates that WCPSS addressed its concerns around desegregation by creating a new diversity plan in 1981. The plan would establish K-12 student bodies of no less than fifteen percent and no more than forty-five percent minority. This race-conscious diversity plan was accomplished through two core components. First, the district established the magnet system to draw white students to Black neighborhoods where creative programs and instruction attracted many families. Second, the district bused many minority students to schools in white suburban neighborhoods. By 1998, sixteen percent of the district's minority students were bused to schools in predominantly white neighborhoods in efforts to maintain the required racial mix (Parcel & Taylor, 2015).

Lincoln Heights is a magnet school offering specialized curricula in order to draw students from outside of the school district. Although Lincoln Heights is located in Niggatown, per WCPSS' diversity plan, the majority of the community's kids were redistricted and sent to

Fuquay Elementary clear across town. For the children living in private and public housing in Niggatown, Lincoln Heights was previously their base school. Many of them lived within walking distance to the school, as close as across the street or a few blocks away. Coming from a community with low resources, Mary and others were concerned about how to cope with their kids being moved outside the neighborhood. They would not be able to walk to school for parent-teacher conferences or attend to the needs of a sick child if called to pick them up from school.

As the reassignment planning process began, Mary started to engage her community about how to manage with their kids being relocated to other schools. She recalls: “[M]e and another one of the ladies in the PTA started having meetings in the community with a bunch of parents who—like us—didn’t have money, and a lot of them didn’t even have cars.” Mary helped to coordinate community meetings and went to school board meetings on their behalf. But by the time she emerged as a leader and representative for the other parents, she was not allowed to speak at school board meetings due to the fact that her child had matriculated out of Lincoln Heights. When her youngest child wanted to attend Lincoln Heights, he was assigned to Fuquay Elementary. Though each family could individually petition for reassignment, by this point the hardships of her community’s parents were essentially silenced without Mary’s advocacy at county board meetings.

According to Mary, “there were a lot of other kids from more affluent neighborhoods being bused into Lincoln Heights, from the golf course community on the other side of town, a lot of those kids, that became their base school.” She recalls that back then magnet school status was “the thing.” She explains that everyone wanted their child at a magnet school because it was “supposedly a better school,” and that Lincoln Heights was a good school at the time. Through

her efforts at the local and district levels, she felt—and a lot of the parents—including the school board felt that “magnet schools should be left to white folks, not our community.”

The subtitle of Grant (2009) questions “why there are no bad schools in [WCPSS]” and Mary’s reflection counters with a simple “but for whom?” Mary’s understanding of local history and lived experiences of racism takes into consideration factors more akin to Joyner (2013). Mary recalls how all of the Black students from the formerly all-Black high school in her neighborhood were removed and shipped across the train tracks to Fuquay High in the name of integration. Leaving behind nothing but Fuquay Consolidated Alumni Association, an organization of former students from the formerly all-Black high school (See Joyner, 2013).

While Benjamin (2012) highlights how the needs of the white elite were prioritized in the early to mid 20th century districting of Raleigh’s schools, Mary points out how little things have shifted in the 21st century for Black folk in communities like hers. For Mary, there is a continuous pattern of implementing public policies at the expense of Black—and other marginalized—communities dating as far back as slavery. Mary explains that now, thirty years later, in Niggatown what was tobacco and sports fields are now hundreds of new homes starting at or above \$300,000. Dangerous grass and dirt walkways are now wide sidewalks with curbs and freshly painted crosswalks, that she and other community members had demanded from the town for years. This area that most white folk claimed to be too dangerous, is now at times over run by white residents, joggers, and bike riders enjoying the neighborhood. She knows it’s no more or less dangerous than it has ever been. And now that new renovations and developments of Lincoln Heights have been completed, more Black and Brown children were pushed out of Lincoln Heights for the 2018-2019 school year. For Mary, it’s the same story playing itself out once again, and it always starts with the schools.

Mary's parental advocacy made her more aware of her community's needs. Not every parent in her neighborhood had the resources and ability to effectively advocate on behalf of their own children, which is why Mary filled in as an organic leader for parents under similar circumstances as her. However, after a career change, Mary entered the classroom where she was exposed to a new world of advocacy but still found herself grounded by similar concerns to care for children from neighborhoods like her own.

'Black Mama' Pedagogy – Mary

Mary refers to herself as a strict disciplinary who “don't allow no mess” out of her sons. I have to admit, her perspective forced me to rethink my own understanding of discipline in schools as she spoke about the necessity for clear rules and discipline to be coupled with love, accountability, and understanding. Her pedagogy was based in her experiences as a parent-advocate, especially her experiences with what she refers to as “the system.”

In the early-2010s, she worked as a Teacher Assistant in Special Education for six years at Fuquay Middle, an experience that she referred to as “kind of eye opening.” Prior to this, she only had experiences as a parent from the mid-1970s to the early-2000s. She was most surprised by how the kids were perceived by the staff. She said, “[t]he Black kids seemed to invoke fear in the white teachers and they could basically do anything they wanted to without a verbal intervention.” She found that whatever the Black students did they would get suspended for it. The teachers seemed to be afraid to say anything to Black students, by asking them to stop doing whatever it was that they were doing. Mary made it clear, “But, me being a Black mama, I would approach [the Black students] like I would my own children.”

She would be asked numerous times by white teachers, how she gets away with talking to Black students the way she did without them responding in a confrontational manner. Her

response was always, “ya know, they see me, they see a Black mama. They know some Black mamas don’t play like that, I was one of em.” She recalled that Black kids were allowed to spiral downward as teachers stood by watching and did nothing except “suspend, suspend, suspend, ya kno, or write em up, write em up, send them home.” That’s all she saw from the teachers and administrators, but no one told them to stop. The other thing was she saw was no parental intervention, because for whatever reason parents didn’t come to parent-teacher conferences.

Due to her experiences as a Teacher Assistant, Mary finds it important to also address the mistreatment of students in special education courses. The U.S. Supreme Court case *J.D.B. vs North Carolina*—out of Chapel Hill-Carrboro Schools, WCPSS’s neighboring district—has the rights of a special education student at the core of the case’s analysis. Although the factual circumstances differ, Mary draws compelling parallels by examining how special education students are treated within the system.

She notices that much of the Special Education department was filled with Black students or students that spoke Spanish as a first—or only—language. She remembers very few white kids, maybe one or two. Some of the Black kids—from what she could determine—should not have been there. There was an awful pattern where Black students with “behavioral” issues were placed in classes with white students with severe physical disabilities. Mary said, “[g]enerally, the only white kids there were severely disabled and wearing diapers, in wheelchairs, you know, and they were all in the same class which was incredible to me.” She stated that the Individualized Education Program (IEP) plans were like jokes because when they had IEP meetings to set up the students’ learning plans, it was done basically by the teachers that thought that they weren’t going to learn anything anyway. When left to the care of the system, she understands the lack of compassion that her students would be faced with.

Whether in the Special Education department or not, what she saw about the students was that they respond positively to discipline when it was available. With her own children she was a disciplinarian, and she would rely on physical means if necessary as opposed to the limits of merely speaking in schools. She admitted that every now and again there would be a few students at school that would get a playful slap on the back of their heads for acting out in the hallway for doing things that they knew were inappropriate. She shared one story in particular that truly demonstrated her style of engaging with Black students. On one occasion while she had lunch duty, a young Black student “put on quite a show, a disgusting kind of show,” telling a white teacher that “it was just a Black thing.” Mary was appalled, “I discretely worked my way over to that Black kid and invited him to step outside the cafeteria around the corner, not in front of the windows where nobody could see me, and got really, really, really close to him ... and told him that as long as I’m at Fuquay Middle I better not never ever, ever see him act like that again cuz if I did there were gonna be some consequences that weren’t gonna be pretty.”

She went on to brag that if she sees that same young man today he will come up to her and hug her neck. He even started doing that on campus if he saw her walking across campus, he would walk up to her reaching out for a hug. Even more, she made sure that the group of boys that were sitting with him at the table egging him on, knew what she said, ““and I mean I better never see any of you actin like that again!’ And I never did, so they responded positively to discipline except nobody was willing to give them discipline.” She saw that school officials were more willing to just suspend them. She believes that a child expects discipline, and although they don’t expect to be “knocked upside the head,” they do expect discipline. “They expect rules they need rules, but these teachers were very unwilling to give rules to that population of the kids because they were afraid of em and they said they were afraid of them.”

One of her fellow Teacher Assistants described some black children that she was afraid of, but she was unaware that she had described Mary's sons; muscular, wearing undershirts, long hair. The teacher assistant told her how afraid she was of them and that if she was walking down the street and she sees them coming, she would cross the street because she thought that they were thugs. So Mary asked her "did it ever occur to you that what you see coming towards you might be an A-student?" Because in the case of Mary's sons she might have ran into an A-student that looks exactly like what she described.

In Mary's view, school officials were not willing to give Black students the benefit of the doubt. Mary believed that it was simply that "they're thugs, the end." She found it really discouraging to just be there listening to the lack of hope for their future, because nobody expected them to do anything anyway. She was sure that this message was conveyed to students by their teachers. She even saw such a difference in the way discipline was doled out, differences in gender and race. Girls were "pretty little princesses" and the boys had to provoke girls, so the boys got more severe punishments. She saw the same with along racial lines, whites were having a bad day while Blacks were bad kids. "And the kids received that message big time, they heard it loud and clear."

Mary entered the classroom as a parent-advocate who had previous experiences with administrators that she believed were targeting her sons. She shared numerous stories, dating back as far as 30 years where she had to intervene on behalf of her sons or they would have been pushed out of their classrooms unfairly. She recalled a principal and English teacher in the 1980s telling her that her son could not participate in the sports postseason for failing while a white classmate had the same grade and was allowed to play. She recalled numerous times where opportunities were denied high-achieving Black students for scholarships while at the same time

given to white students with less than stellar records of achievement. Bluntly, she had witnessed many injustices within WCPSS towards Black students and her experiences at Fuquay Middle merely confirmed her long held feelings about institutional racism within the district's schools.

In 'Gentrifying Niggatown,' Mary illustrated how anti-Black racism was drawn into town's schools through educational policy, and here she shows how that same anti-Black racism bleeds into actual school buildings through the mindsets of educators. Where other educators, particularly white educators, approached Black youth with fear and reservation, Mary showed all of her students a "Black Mama's Love" prompting mutual respect, discipline, and adherence to the rules. During my time working at the same school, I noticed a distinct difference when youth are looked at as people instead of problems, and when they are spoken to instead of spoken at. Honestly, substitute teaching—and this study as a whole—would have been far more challenging had I not sat down with Mary and listened to her philosophies on Black youth, discipline, and learning. In the spirit of Fats, I just had to remember that they "ain't misbehavin'," and that I have to save a little extra love for each one of them. Black Mama pedagogy is not a new concept, but just like an old jazz standard that has been rearranged and reharmonized with various improvisations over the same chord structure; Black Mama pedagogy has many variations and remains a true American artform.

When Leaders Lie - Camille

When I asked Camille why she thought Principal King targeted her son, she stated that her son—LW—is over 6'8" tall and has been a victim of racial profiling several times. She mentioned that since arriving in North Carolina from Pennsylvania he had been stopped by the police a couple times that she knew of and searched for what she describes as "no reason." But

this wasn't just a function of her son being tall because Mary shared similar stories of her not-so-tall sons being racially profiled both inside and outside of schools. Both mothers describe their children as well-behaved and not 'thug' kids, but they recognize that they are profiled because of their race and gender. Mary admitted that the role of race in school pushout was far less complicated in the 70s, when school officials wore their biases on their sleeves. Though raising her children in a different era, Camille feels that institutional anti-Black racism is still embedded deeply within the system. Most importantly, Camille highlights how being a parent of a Black student forces one into the role of advocate when navigating the system.

Camille grew up in Pennsylvania and attended all Black schools, where she never felt like she didn't belong or that she wasn't loved simply because of the color of her skin. She had white teachers, but they never made her or any of her classmates feel less than, she believed that they genuinely cared for her. According to her, she never experienced racism until she moved to North Carolina with her two children in 2007. She spends the bulk of her time running her developing business as a successful entrepreneur, so she wasn't as active of a parent as she would have liked to have been during her children's schooling. However, in addition to ensuring that they had private tutors she never missed parent-teacher conferences and made certain to talk with them about their experiences at school. After LW's long-term suspension, she quickly realized that she needed to be more involved than ever. But the last thing she expected to find out was that the school district would hide behind their system's protocol in order to protect an administrator that may have deliberately caused harm to her son.

Camille got a call from the principal who said that the incident happened right in front of her. Principal King stated that LW "just walked up to someone and beat him silly on top of his head." The police report confirms her statement that it happened right in front of her, and that

LW just walked up to another student and beat him on top of his head for no reason (Herrera, 2008). Camille found all of this hard to believe because it was unlike her son, because he had never been in a fight and from her perspective it just didn't seem like him. Camille described LW as a quiet student who stayed to himself, she even recalled that while playing little league football he did not like contact. Still, she was not one to say, 'not my child,' but the incident did sound strange to her and she was saddened that it happened. This took place in the early part of May and Principal King informed her that LW would be suspended for the rest of the school year. Even though they only had a few weeks of school left, Camille didn't like the idea that he would be suspended for the rest of the year.

Camille didn't understand, because Principal King told her that LW had hit the boy and said that his hand was hurting but that she had a medical team look at it and they determined that his hand was okay. Camille's disappointment heightened as her son served his suspension. He complained that his hand was still hurting and a few days later she took him to get his hand looked at. As soon as he walked in to the doctor's office they informed her that he had a boxer's fracture. At that time LW was really quiet, and he did not communicate—or explain himself—really well, but he said, 'yeah a student [looked at my hand].' Causing Camille to shout, "WHAT?" At this point, Camille was livid. "Why would she tell me that a medical professional looked at it?"

That was the first thing that made her realize that something was really off about the entire situation. She couldn't grasp why a principal would consider a high school student as a proxy for a medical professional, so for Camille that was the first major red flag. After continuing to weigh everything that had been said to her, she started realizing that things were not adding up. Camille emailed Principal King to request her son's work and told her that she

was going to appeal the decision to long-term suspend him, but that she needed his school work. In response, Principal King stated that if Camille dropped the appeal, only then would Camille be given his school work. So, Camille went back and questioned her son about the incident and realized that none of what Principal King said was not true. Camille stated, “[t]his was the straw that made me realize that something was not right in terms of ethics. That just set off all kinds of alarms, I said that’s just really, really unethical.”

Camille repeatedly attempted to abide by the system, first when she first accepted the suspension and then when she requested LW’s work without questioning Principal King. But Principal King placed Camille in a position to question her sincerity by holding LW’s school work in exchange for dropping the appeal. At this point Camille was certain that she needed to advocate on behalf of LW because it was clear that Principal King’s interests were not in line with hers or her sons.

When Camille appealed the suspension, Principal King’s court hearing testimony was the exact opposite of the accounts that she gave Camille and that she wrote in the police report. In the police report dated May 2008 she states: “This fight happened right in from of me. [LW] just went up to [the other student] and punched him. [LW] basically beat [him]” (Herrera, 2008). However, in the suspension hearing in June 2008 she states: “I didn’t see the beginning of how this started, but a student said to me, Ms. King, there’s something going on over there, and there started to be noise in the cafeteria” (Brown, 2010). In the court hearing she went on to say that she did not see any punching from either student and that all she saw was an embrace. When asked if she saw punching from either she responded, “I did not” (Brown, 2010).

In the process a police report was filed against LW with the Raleigh Police Department for assault with the other student as the victim and LW as the alleged suspect, all based on

Principal King's falsely reported information. During her suspension hearing testimony, she admitted that they interviewed four students as witnesses, but none could corroborate on what took place. King's about-face from the incident to the suspension hearing caused Camille to realize the red tape and lengthy appeals process that would not allow for her to address the Principal's unethical actions because they were not at issue in the case. According to Camille, Principal King lied about giving her son proper medical care, denied Camille his school work in exchange for dropping the appeal, and falsified a police report. By then Camille's complaint was against Principal King, yet appeals procedure called for her to meet with Principal King first where she found out that the cameras "weren't working that day," another element that frustrated Camille.

In the end WCPSS sided with Principal King because the issue was never if she was lying, but the issue was whether or not LW assaulted the other student and he did by his own admission because he hit him. She felt that the process was very unfair because of this. She did make a complaint to the Human Resources department who sent her somewhere else and they all found Principal King's actions were not something that they wanted to deal with. For Camille it added insult to injury when she realized that Principal King was awarded principal of the year shortly after that incident. That is the only thing she could think of as to why the district would not deal with the ethics issues.

According to the police report LW—or "the suspect"—was "released to his mother" (Herrera, 2008). This makes one wonder what could have happened had LW not had a parent there to pick him up, or had the injuries been more serious. We can never truly know whether or not Principal King's false accusations could have led LW to jail time, but one can surmise that

such acts of willful neglect definitely place Black and Brown students at greater risks than others.

Camille paints a vivid picture of how Principal King demonstrated an absolute disregard for the well-being of her son. Not only did she falsify a police report and continue to lie in order to protect herself, but she did so at the expense of Camille's son's health and educational needs—of which LW struggled with after the incident. The fact that the school district did not have in place any means for Camille to seek redress for her son's situation, illustrates the challenges of navigating systems that are not fully dedicated to racial, gender, and economic equity. The school district did not protect the administrator per se, but the procedures in place are clearly at the expense of student health and safety, and Camille's frustrations with the district are reasonable considering the fact that Principal King was awarded district Principal of the Year two years later. Much of the focus is often on student behavior, but for this one case in particular, what happens when agents of the system misbehave?

The Hate U Give v. The Love We Show/'Teacher Union Thug' Life – Mrs. Parker

In the midst of Red for Ed teacher walkouts across the nation in spring 2018, N.C. public school teachers organized a rally and day of advocacy for public schools, causing a number of school districts statewide to cancel one day of instruction. I was able to walk amongst the thousands of teachers and listen their accounts of how they have to work upwards of sixty hours a week, how their classrooms are severely overcrowded, and how they have to spend hundreds of dollars in their own money for their classrooms. Teachers from across the state gathered in Raleigh, North Carolina at the State Capitol to advocate before State lawmakers for various improvements in educational policies and law within the State to allow them to better educate the

students within their classrooms. Ahead of the day of advocacy, one North Carolina lawmaker stated that “Teacher Union thugs” were to blame as they wanted “to control the education process.” I asked Mrs. Parker—an organizer for the rally—her motivation for educational advocacy, and without an ounce of hesitation she shook her head passionately saying, “Aww man, my babies!”

She receives what she refers to as “tons of pushback” from people asking her questions like, “how do you see that connecting to your work in the classroom? Are you sure this is what you’re supposed to be doing? Do you think that you’re kinda distracting from the kids?” She senses resistance within that type of line of questioning when people are like “I know you wish you could just have a good time advocating and that’s it.” Mrs. Parker then says “well yeah, of course, but no. I can actually do all of them. I believe they are not mutually exclusive. I need to be advocating while I’m providing great instruction.” Like Stovall (2016) she recognizes the “imperative of praxis” as a means to bring together her teaching and advocacy work on the ground in ways that aggressively promote the absolute dismantling of white supremacy.

Mrs. Parker highly regards advocating for students, “like ... this, is, the, single, most, important job in the world, advocating for children.” She points out that advocacy has various forms. It’s not always as drastic as activists or advocates being arrested for civil disobedience in order to make a statement. For Mrs. Parker, effective educational advocacy is providing solid culturally diverse instruction each and every day without excuses, no holding back, but just giving great instruction to students because that’s what they deserve.

Mrs. Parker’s advocacy for students truly has no bounds. She recalls the events leading to her arrest for civil disobedience, “It was the Monday after we got out of school, June 2016. We marched 23 miles from Neal Middle School [in Durham, N.C.] to the Governor’s office in

Raleigh.” They walked half of the distance on one night, spending the night at a church in Raleigh. When they woke up the next morning, they walked from the church all the way to the Capitol. From there they went to a rally that was organized by the teachers’ association. “It was all around teacher pay, it was around class size, and it was around specials, and HB2 was going down at the same time. And we were just really fed up.”

A week prior to the march, the advocates had a press conference announcing that they had been given an appointment with the Governor and that his office was expecting them. According to Mrs. Parker, there had been a great deal of build up around the meeting. When Mrs. Parker and her fellow advocates arrived for the appointment, they could see the Governor’s staff shut the door quickly as soon as they turned the corner to go to his office. They shut the doors as quickly as they could as the advocates chanted, “we’re ready! we’re coming!” Chuckling to herself, “Haha and that was also a little intimidating.” As the advocates arrived the Governor’s staff closed the door, and the advocates knocked. The advocates called his assistant, they called him, and they knocked on every door. First, they stood, they held hands, and they chanted, and then they sat down in the middle of the street, “we were like ‘alright, gotta sit down.”” She continues, “And I think it was very shocking to people when we actually sat down in the middle of the street.... And then they took us away.”

“I think being arrested was like having to resist because it was scary to agree to get arrested.” She was concerned with whether or not they would get bailed out? “Like I don’t know how I’m gonna feel being in jail, but for these kids I will literally put my body on the line, and I did. I sat in the middle of the street and cars were literally like, ‘do, we, goooo? Like?” (Mrs. Parker, 2017).

“I get so angry because I feel like it’s taking advantage of Black and Brown kids. Everything that [State lawmakers] do is aimed at Black and Brown kids,” She cites the fact that so much weight is placed on standardized testing and how that classifies schools as a failing school or an A-school, an A-school or F-school. “And I feel like everything they do is racially motivated especially when the [State] House and the Senate are heavily motivated by racist people.”

She points out that a lot of people push bipartisanship, but she believes that bipartisanship doesn’t matter if outcomes continue to reflect the suffering of people of color. In her experience, the most vulnerable populations of people within her communities are people of color. “It makes me hurt because I feel like the people in this community who are of color don’t understand what is truly being done to them. And that is what hurts me the most because these kids, I know these kids, I know their families and for you to, it’s basically rape. And it hurts because you’re not giving these kids a chance.”

She works with students from vulnerable backgrounds each and every day. As we concluded our interview, she informed me that one of her students’ family was homeless. She told me about the how she works together alongside other staff members to assist the family as much as they could to ensure that the student was able to remain in school and fed, a task she feels that State lawmakers should take more seriously. “My child that was here with me after school, he deserves the world and he deserves respect. He deserves fully funded public schools. He’s not getting it. He’s not getting a chance to have a home because our legislators don’t make living wage possible.” She continues, “It’s just everything that comes out of that General Assembly is so racially charged that it impacts our most vulnerable population, which is Black and Brown people” (Mrs. Parker, 2017).

Mrs. Parker's most impactful advocacy was around specials, which are world languages, Physical Education, Art, Media, Music, and similar courses. At the time, specials teachers were being cut from the budget, which was particularly of interest because her students like many other Black and Brown students benefit directly from specials. Again, she was able to merge her classroom and advocacy work in a meaningful way. "Advocacy around the specials last school year was really, really special to me because my kids, my professors, my students went with me to lobby day [at the General Assembly] to advocate for their specials teachers." She continues, "And it was really moving to see them take ownership and to really have some buy in there and advocating for themselves for their teachers' livelihood.... That was the most impactful piece of advocacy there for me."

Mrs. Parker's belief that Black and Brown students are discriminated against through policy highlights the troubling reality that there is always work to be done beyond the schoolhouse gate. Although Mrs. Parker is not a parent, she loves her students as her own and will do whatever it takes to advocate on their behalf. Her advocacy provides another viewpoint into what educational advocacy can look like, particularly when it comes to advocating for Black and Brown students. Regardless of resistance from family, friends, and even state lawmakers, educators like Mrs. Parker continue to fight for the rights of students both inside and outside of classrooms, weaving together advocacy and instruction to challenge outdated educational structures and systems in ways that others cannot. Regardless of the pushback, Mrs. Parker personifies the long history of Black educators in the state that embodies the best—not worst—of educators invested in the success of all children, particularly Black and Brown children.

Conclusion

By serving as a substitute at schools across WCPSS I was able to have casual conversations with teachers and students to peel back the curtain on a lot of the issues that students and teachers face every day in school buildings. Student behavior has always seemed to be a misleading focal point, distracting the focus from a system that has stubbornly refused to sterilize itself every trace of its racist past. I found that some teachers were frustrated with what they felt to be inadequate district policies and infrastructures in place to deal with student behavior. Additionally, many teachers were disappointed with the manner in which state lawmakers address educational issues directly impacting the most vulnerable student populations, case-in-point education advocacy by teachers.

Mary and Camille's experiences demonstrate two distinctive pathways to parental advocacy. Mary emerged as an organic community leader while advocating for her own children, and Camille's advocacy materialized within the context of standing up for the rights of her son. As mothers of Black children, they recognize the challenges of navigating systems that have always been stacked against them. Mrs. Parker's pathway to advocacy was more akin to a birthright being that she was raised in a household in which advocacy was paramount. This factors into the manners in which they approach advocacy. Both Mary and Mrs. Parker utilize community organizing as a critical component in resisting discriminatory institutional forces, while Camille's advocacy was more individual consisting of attending hearings, corresponding with the principal, and hiring a private investigator.

Mary captures the essence of this chapter perfectly when she shared, "[w]hen I say the system is gonna punish them without love I mean that they're just gonna put them in jail. The end. The system says, 'that's where they belong anyway...', and if they go home they're gonna

come back.’ That expectation that they’re not gonna amount to much anyways.” Again, although Mrs. Parker is not a parent, she embodies Mary’s Black Mama Pedagogy in that she also uncompromisingly loves her students first and foremost. However, that love is not to be misunderstood as being a pushover in the classroom. Mrs. Parker also commands discipline and respect from her Professors, while giving it back to them at the same time. As shown with the twenty-three-mile march, her political advocacy outside of the classroom reflects the same level of unyielding love and perseverance. Both Mary and Mrs. Parker recognize the lengths in which they must go through to demonstrate love to their students because they recognize that the system simply will not; more importantly they do so because they deserve it.

Without a doubt there are more LW’s out there that have been pushed into the Juvenile Justice system that didn’t have a parent to advocate on their behalf as Camille was able to. LW’s case is a perfect example of the double-standard in the district which insists that students must abide by the rules yet does not hold itself accountable to the same ethical standards. Had Principal King provided the information to the police officer on the scene that she provided during the in-court suspension hearing, it would have been handled within the school and LW would have never had to deal with the justice system; an experience that had lasting negative effects for LW.

At this point, one cannot conclusively establish whether or not Principal King stereotyped LW as a Black male, “thug,” deserving of arrest. But because racism is so pervasive throughout our society and institutions it’s no coincidence that Mary’s colleague referred to Black students as thugs and that a white male lawmaker referred to teachers’ association leaders like Mrs. Parker as thugs as well. Neither the students nor the advocates deserve ill-treatment within

schools, politics, or within policies simply because of their race or because they speak up for themselves and the rights of others.

Mary adds, “I cared for them, but at the same time I knew the system didn’t, because I saw how they treated them. Like I say, they had no expectations of them succeeding anyway. I know that rules are necessary. And I felt like I would rather be the one laying down those rules doling out discipline rather than the system.” I asked why is that? She said, “Because the system doesn’t love them, I do.” (Evans, 2017).

CHAPTER 6: CAROLINA GODDAMN [Political/Governmental Advocacy]

Intro

Mississippi Goddam Lyrics (partial)

I don't trust nobody anymore they keep saying, "go slow!"

That's just the trouble. "Too slow!"

Desegregation. "Too slow"

Mass participation. "Too slow!"

Unification. "Too slow!"

Do things gradually. "Too slow!"

Will bring more tragedy. "Too slow!"

Why don't you see it? Why don't you feel it? I don't know, I don't know.

You don't have to live next to me, just give me my equality.

In 1963 Nina Simone released her first civil rights song, Mississippi Goddam, as an enraged radical challenge to the liberal politics of the time. Miss Simone disrupted a wide range of respectability norms with "Mississippi Goddam," both socially and politically; specifically, because she was a dark-skinned Black woman, a virtuosic pianist with elite Classical and Jazz proficiency, and a world renown entertainer in a time where James Brown later sang "This is A Man's World" (Feldstein, 2005). More than that, due to the backlash from the song she was banned from performing in a number of venues and the song was blacklisted from radios across the country. In true American fashion, the response to her releasing and performing the song was shined a light on the very ills that she sang of.

The lyrics above are truly emblematic of a deep-seated frustration at unchecked injustices and inequality that span more than decades but span for centuries. Nina illustrates how she was fed up with calls for politics and reform as usual, that “go slow.” Waiting for her was no longer an option. As we listen to Nina today, decades later, we must decide if moving slow has provided us with the level of justice and equality that Nina and her peers sought, or have we fell for the same slow motion business as usual trap of our ancestors. Although the lyrics of the “Mississippi Goddam” only mention Southern states Alabama, Tennessee, and Mississippi, the Carolinas—particularly North Carolina—have also had a troubling and at times violent history towards Black and Brown folk. Miss Simone, a native North Carolinian herself, has an infamous history of racial performance and activism that embodies the inherent tensions that serve as the basis for this chapter.

In February 2018 U.S. Congressman G.K. Butterfield, channeled Mississippi Goddam’s fiery energy during his keynote speech for the Inaugural Founders’ Day Celebration for the North Carolina Legislative Black Caucus in Durham, North Carolina. I sat in the crowded auditorium while he recounted the long arduous history of Black political participation in the state. The entire auditorium winced in concert and squirmed uncomfortably as he repeated again and again the words “thirty-nine lashes on his bare back,” the punishment under North Carolina law for preaching to enslaved persons. Dozens of us shook our heads in disgust as he detailed the violent Wilmington Uprising of 1898 that claimed as many as sixty Black lives, violently ousting a mixed-race government regime in the name of white domination. Much of the audience was aware of modern hot-button governmental issues that often leaves North Carolina as a political laughing stock due to its dubious performance on issues such as voting rights, fair courts, and

education, but it was clear that even amongst the Black political elite many were unaware of how slavery and desegregation's past connects with the present.

Fittingly, in Black church fashion, Congressman Butterfield's heartfelt remarks incited choruses of ad-libbed "amen's" and "uh huh's" throughout the crowd as he outlined Black North Carolinians' enduring struggle against disenfranchisement, voter suppression, and denial of equitable public education. Beyond simply "preaching to the choir," he unearthed the state's disturbing pattern of addressing Black liberation and learning efforts with cruel tactics of punishment and control. The rebellious spirit of our ancestors and this melanin-infused celebration of disruption and resistance guided me in the field and aided my analysis.

This chapter focuses on the experiences of two Black North Carolina state and regional-level political trailblazers, Henry "Mickey" Michaux Jr. and Patricia Timmons-Goodson, in addition to the experiences of social activist and advocates Professor Irving Joyner and Marcus Bass. It examines how they have struggled for a more democratic state for all citizens. It places their lived experiences of advocacy in conversation with Miss Simone's distinctive brand of performance and activism through her song Mississippi Goddam. Each participant reflects on their personal and political experiences prior to, during, and now after the civil rights era as a means to understand where we were and where we might be headed in terms of voting rights, fair courts, and public education. For Miss Simone and each participant, it is clear that equitable public education and political participation are critical to any successful democratic society.

Henry "Mickey" Michaux Jr. (born 1930) was a Democratic member of the North Carolina General Assembly (NCGA) where he served the thirty-first House district from 1983 to 2018. Previously, he served from 1973-1977. As of 2018, he was the longest serving member of the

NCGA and chose to retire by not seeking re-election. In 1973, he was elected as a one of the first three Black members of the NCGA, seven decades after the 1898 white supremacist uprising that removed Blacks from political participation in the state. In 1977, he became the first black U.S. Attorney in the South since Reconstruction when he was appointed to the Middle District of North Carolina. Rep. Michaux graduated from North Carolina Central University in 1952 with a Bachelor of Science in Biology and again in 1964 with his Juris Doctorate. As an avid fan of his alma mater, he still follows NCCU's sports teams closely. Although he is known for his involvement in legislation on a wide range of topics from education to voting rights, he's also known for his witty one-liners. He is a husband, father of two, businessman, and active member of the community, especially at NCCU where the School of Education is named in his honor. He is loved and highly revered throughout the community and with his quick wit, charismatic storytelling, and penchant for telling jokes he could easily excel at a career in entertainment. I witnessed his approachable nature firsthand at the Inaugural Founders' Day Celebration for the North Carolina Legislative Black Caucus where I met him for the first time and asked for him to participate in this study. Whether on the floor of the state legislature, interviewing with media members, or chatting amongst colleagues his vibrant "hold nothing back" personality shines through.

Patricia Timmons-Goodson (born 1954) is a retired Associate Justice of the North Carolina Supreme Court, where she served from 2006 to 2012 as the First Black woman in the court's history. From 1997 to 2005, she served as an Associate Judge for the North Carolina Court of Appeals and from 1984 to 1997 she served as a State District Court Judge. She attended the University of North Carolina at Chapel Hill where she received her Bachelor of Arts in Speech in

1976 and her Juris Doctorate in 1979. In 2014 she received a Master of Laws degree in Judicial Studies from the Duke University School of law. She is currently running for U.S. Congress out of North Carolina's 8th District for the 2020 election cycle. She is a wife, mother, and active member within her Fayetteville, N.C. community. In 2016, President Barack Obama nominated her for a seat on the federal bench in the Eastern District of North Carolina, but the paperwork necessary was never put forward to place her name before Senate for consideration. She currently serves on the United States Commission on Civil Rights, where she was nominated by President Barack Obama. We met for our interview in her home and prior to recording she offered me coffee and donuts as we spoke casually in the kitchen. I had only met her once, six years prior, in her Justice chambers while she served on the North Carolina Supreme Court. I recall being a star struck law student as we discussed my future. She provided me with advice and mentoring that has stuck with me to this very day. Growing up as a close family friend of her brother Colonel (Retired) Edward W. Timmons, Sr., I grew to respect her ascension to the state's highest court. Whether with her nephews that I grew up with and attended school with, or other young lawyers and judges she always advises in a calming, straightforward, and authentic fashion. Fast-forwarding to our most recent conversation, she lamented the fact that she didn't "get into civil rights work" until much later in her career. I stood admittedly a bit confused because I always viewed her existence as civil rights work. Although from her view she may have been focused on pure legal jurisprudence, it became clear through our conversation that her legal lens has been greatly influenced by the discrimination that she experienced and saw within her community throughout the years.

Professor Irving Joyner has spent forty years as a lawyer and fifty years as a community activist involved in civil rights work. For six decades, he has engaged in various aspects of education working with students, both at the college level, at the high school level, and also with the school boards dealing with equity issues. Professor Joyner has worked as a law professor at NCCU School of Law since 1982. There he teaches courses in Criminal Law, Criminal Procedure, Civil Rights, Race and the Law, Professional Responsibility, and Trial Practice. He lectures and speaks regularly at civil rights, educational advancement, legal education, and political empowerment events. He serves as attorney for the NC NAACP and provides pro bono legal counsel to a number of religious, political, and community organizations. He also provides legal services to needy individuals in civil rights and criminal appeals cases. He serves on several State study commissions and agencies and has leadership roles with a variety of community groups and organizations. For the last ten years he has co-hosted the highly acclaimed “Legal Eagle Review,” discussing current local and national legal issues. Raised in La Grange, North Carolina during the Jim Crow Era, he is a proud product of segregated schooling which he writes about in detail in his law review article “Pimping Brown v. Board of Education: The Destruction of African-American Schools and the Mis-Education of African-American Students.” In the Spring semester of 2014, I had the privilege of taking Professor Joyner’s Civil Rights in Education course at NCCU Law. It was there that I was exposed to his civil rights work with Moral Mondays, voting rights, the Wilmington Ten, along with other public education issues. Each year he leads a civil rights study abroad trip with a group of law students where they engage in legal and historical studies of countries like South Africa and Cuba. I was able to participate in his study abroad program in March 2014 in Johannesburg and Cape Town, South Africa. His office is draped with pictures from our trip and each time I visit he points out the

2014 trip as one of his favorites over the years. The many hours spent in his office hours discussing various issues related to civil rights and education would end up becoming the foundation of my doctoral studies. As an organic historian, he constantly teaches those around him how to contextualize today's civil rights struggles within the long struggle for racial justice in the United States.

Marcus Bass is the statewide campaign director for Democracy North Carolina, a voting rights advocacy research and organizing group. Marcus has been engaged as an activist and political organizer for various advocacy campaigns for over a decade, including Common Cause North Carolina, America Votes, Advance Carolina, NAACP and North Carolina Association of Educators (NCAE). He is a regular contributor to local newspapers and local television stations as he continually advocates for various political issues relating to racial justice such as voting rights and public education. He is a proud graduate of North Carolina's largest Historically Black College, North Carolina Agricultural & Technical State University (N.C. A&T) in Greensboro, North Carolina. There he obtained his Bachelor of Science degree in the Vocational High School and Secondary Business Education. While at N.C. A&T, he served as the Student Government Association President and lead vocalist in the gospel choir. He is a product of Clinton, North Carolina where he taught business education in two local public schools. His efforts with the team at NCAE resulted in the largest demonstration of public educators in the south with the "We Love Public Schools Campaign." He credits his parents as the driving force behind his success, due to their strong political and religious influence. Marcus, like myself, was raised to be involved in church through taking leadership positions, which led to our paths crossing at J.J Johnson Youth Summer Bible Camp in Laurel Hill, North Carolina in the early-2000s. There we

experienced some of the most memorable and impactful moments of our lives as we attended as campers and served together as counselors for over ten years. J.J. Johnson left a profound impact on Marcus as he founded Camp Lead-Up Summer Leadership Development Institute, where he currently serves as leader and organizer for the program. Marcus is a unique social activist that seamlessly bridges practice and praxis as he continually demonstrates his passion for political advocacy and public education.

Educating Pioneers

Rep. Michaux, born in 1930, completed all of his primary schooling prior to *Brown v. Board of Education* (1954) and Judge Timmons-Goodson was born in 1954 a few short months after *Brown* was decided while Professor Joyner was in elementary school. Their collective educational experiences took place during the long Civil Rights Movement where the social and political landscape of the U.S. was changed forever. During our interviews, each expressed similar sentiments of Black youth during the 1940s-1970s, that they were held to a far higher standard of behavior and performance as white youth. Each had the same attitudes of many folks from their generation, which is that they had to be twice as good as whites to be successful in society. Even though Rep. Michaux attended segregated private school, Joyner segregated public school, and Judge Timmons-Goodson attended all integrated schools, their political and legal advocacy has been informed by their differing educational experiences.

From the age of thirteen to eighteen, Rep. Michaux attended the Palmer Memorial Institute, which he refers to as “a high-priced down to earth colored school that taught you what it would take to live in the society that you were born into.” Founded by Dr. Charlotte Hawkins Brown in 1902, the Palmer Memorial Institute was well-known for serving students from upper

class Black families. Rep. Michaux recalls many celebrities, such as Nat King Cole, Roland Hayes, Paul Roberson, Dr. Mary McLeod-Bethune, Eleanor Roosevelt, Dr. Benjamin Mays, Mordecai Wyatt Johnson, and Carter G. Woodson visiting campus and holding residencies. Leadership within the Black community was a vital component of Michaux's Palmer experiences, but he also learned that service was an equally important aspect because there was no hired help on Palmer's campus. Everything was done by students, and everyone had a job to do from janitorial services to waiting in the dining halls.

Rep. Michaux was able to witness in Dr. Charlotte Hawkins Brown—a Black woman—an example of emergent leadership of education and policy. Dr. Brown was crafty and creative because as Rep. Michaux stated, “[s]he had fooled white folks—and we knew this—they thought, the people who was in New England who was helping fund her school down here in North Carolina, thought she was teaching folks how to be servants, butlers, this type of thing.” Yet, Dr. Brown was providing a liberal arts education for future political leaders of the Black community like Michaux. At 88 years old, Rep. Michaux still recalls working in the canteen on campus and babysitting for distinguished guests, as clearly as he recalls “The Palmer Creed”; “I want to live with myself and so, I want to be fit for myself to know, I want to be able as days go by, Always to look myself straight in the eye, I don’t want to stand with the setting sun, And hate myself for the things I’ve done” (Woodall, 1993). Just as much as they needed to be leaders, they needed to be productive citizens in their communities. He said, “She was giving us what we needed to cope with in the world that was being run by white folks and she told us that that’s what she was doing. And she didn’t mind us knowing it.”

Rep. Michaux details how Dr. Brown was not afraid to be critical of powerful white folks when he tells a story about how she corrected how a North Carolina Governor said “negro” in front of her students during chapel.

It didn’t come out the N-word totally, it came out a hybrid of the n-word. And she stopped him in the middle of his speech to those students and looked at him and said, “Governor, pardon me but you havin’ a little problem.” He looked at her and he said, “Well Dr. Brown, what seems to be the problem?” She slapped him on the knee, BOOM! Just like that. He jumped back, he said “What’d you hit me on my knee for?” She said, **[whispers]** “Just hold on, just hold on, just hold on.” The chapel we were in had a window on that day. She went and opened the window and she pointed to a big oak tree that was sitting in the yard out there. She said, “now Governor, what did that tree have to do to get to the size it was?” **[simulates Governor’s voice]** “It had to grow! It had to grow.” **[simulates Dr. Brown’s voice]** “Yeah. And what did I just do to you?” **[simulates Governor’s voice]** “You slapped me on my knee.” She said, “Now can you put the two of them together?”

He even mentioned how Dr. Brown sent all of the Senior boys home after one of them made an “off color remark” to one of the woman teachers. She called him in to her office, the junior class president at the time, to make sure that it wouldn’t happen again. She warned that everyone would be sent home including him. Dr. Brown’s leadership planted discipline and ownership into Rep. Michaux’s understanding of advocacy. At the time, he didn’t like the discipline and as a teenager rebelled against it. But after getting out and being exposed to the world he realized how important those lessons were. “What I learned at home, and what I learned at that school, I think sort of shaped whatever future I have, had, or may have had...”

I asked Rep. Michaux about some of the struggles that he faced as he entered the legislature over forty years ago. “Well the struggles—like the decision of *Brown v. Board*, in a position of nullification. **[Mimicking white policymakers’ voices]** ‘We’re gonna set up private schools, and we’re gonna take state money and set up these private schools and we’re gonna limit involvement. We’re gonna put ourselves in a position of sort of in between. We will cherry pick our students who go to these schools,’ which is happening now.” By being placed in a position of nullification, Rep. Michaux and the inaugural Black Caucus of the NCGA were constantly outnumbered by other lawmakers whose views were in-line with the segregationists of the recent past. He continues, “And then just pure stubbornness, pure not wanting to accept the fact that separate but equal was separate but (un)equal. And not accepting the fact that people was due the same type of education—everybody was due to be able to take advantage of the same type of education.”

He proceeds to mention the current state of affairs in education on a federal level: “When I look at who is Secretary of Education [Betsy DeVos] on a national basis and what her thoughts are particularly in terms of charter schools and private schools, and how the move toward that is to take away funding from the public schools set up by the state, you’re moving back to that separate but (un)equal situation.” He spoke briefly about how North Carolina had one of the best minority education development packages in the country. “I was a part of that. In here you come around now talkin’ about no we don’t need minority education, we don’t need minority education development” (Michaux, 2018).

Judge Timmons-Goodson’s educational experiences were quite different. She was born into a military family in Florence, South Carolina—just forty miles from the North Carolina

border. Her father was an enlisted man in the army, so her family was assigned to a location in Germany when it came time for her to begin her schooling. President Eisenhower integrated schools that were run for dependent children, therefore she began school in an integrated setting and has never been in a school that was not racially integrated. She calls that “fairly uncommon” for someone of her age that grew up the South. She saw the benefits of integration when handled in an equitable manner. She recalls how she learned from her early years at school, “that it was natural to have folks from different ethnic backgrounds in the same classroom seeking to learn from the teacher, and [...] that you learn from the other students that were around you.”

Prior to starting 6th grade, her family moved back to Florence during the first year of freedom of choice in the Florence public schools, when Black families could enroll their children in formerly all-white schools. She remembers her father approaching the school dressed in his army uniform to enroll his children in the school. The principal said, “You’re gonna have to go talk to the superintendent.” So, he went to the superintendent to enroll his children. She recalls how it was in “interesting experience that her and her two siblings, along with two other local families, integrated schools of Florence, South Carolina. She would be the first Black student that her new teachers had ever taught.

She recalls that when she was introduced to her class she was asked to read. She could read very well so she was allowed to remain in that group, which she later found out was the highest reading group. She remembers that as students matriculated to 7th grade they were to be assigned to honors English and/or Math classes that could very well have an impact on SAT scores and other opportunities. When it came time for her to be recommended, she was passed over by her white peers that made comparable grades. She didn’t like the decision at the time, but she now understands the significance of it and how similar it is to current issues of

discrimination through tracking and standardized testing. She says, “The other thing that I did come to understand is that [my teacher] probably didn’t mean any harm. But she just hadn’t had any exposure to Black students and she didn’t know how I’d do.” Through her experiences, even when faced with what others might claim as discriminatory, she can understand arguments for both sides while at the same time acknowledging the detriment that one side might have faced in the process. She may understand her educational footprint as “fairly uncommon,” but more than that she has been a trailblazer for civil rights from the very beginning, and it’s likely that President Obama thought the same when nominating her for the federal bench and the U.S. Commission on Civil Rights.

Professor Irving Joyner started school in LaGrange, North Carolina, during Jim Crow in all-Black segregated schools. He attended Frink High School, and he describes Frink as a school “that was poorly funded by the state, richly funded by the community, where the community came in to make up for the gaps in the budgets provided by the state of North Carolina.” Frink provided an environment where most of the teachers were his family members or family members of other students in the class. The teachers had gone to college and come back to LaGrange to provide an excellent education because they dealt not only with the reading, writing, and arithmetic but they also talked about life out in the real world. They would teach students about the kind of discrimination that they would run into and the kind of things that they needed to be prepared for in order to confront those issues. “That was my first dip into black history because a staple in all of those schools were learning something about the luminaries within the African-American community. Something that was not taught in any other schools around at that time (Joyner, 2018).”

He describes Frink as the community being in a close relationship with the school, and families being in close relationships with the school. “It was a very nurturing environment that really encouraged you to do more than it was that you thought that you could do. And in fact, probably more than anybody possibly could have done on their own. So it was an inspirational piece.”

He left North Carolina to finish high school in New York where they weren’t dealing with Jim Crow issues. He found that although the segregation issues didn’t exist within the institution, there was a different kind of discrimination where inside the building the teachers would cater to white students. “It was a different kind of thing and it took me a while to really understand and appreciate what was going on there.”

The type of nurturing that he experienced in North Carolina wasn’t present in New York. In New York the community aspect was nonexistent as a Black student, “if you excelled you, you excelled and if you didn’t you weren’t encouraged. They weren’t trying to lift you up and make you anything special or certainly more special than you thought you could be on your own.” He explains that at Frink when they graduated, they graduated with a firm academic basis behind them because they didn’t make distinctions between students or curriculum.

Professor Joyner has been deeply involved in civil rights work since he was in college. One of the first big issues that he was involved in was in New York City with the decentralization of the New York City public school system and trying to develop autonomous governing units for the community to manage their local school districts. They had a demonstration district in Brooklyn at the time where they tried to work the community concept through. Since then, he’s been engaged in various aspects of education working with students,

both at the college level, at the high school level, and also with school boards dealing with equity issues and various civil rights and educational issues.

While in college he began to work with the Congress of Racial Equality (CORE) out of Brooklyn where education was a big concern. It was during the early civil rights days where the issues surrounding Jim Crow and inequity and every aspect of life for Blacks became paramount. He also helped to organize Black Student Unions at various colleges around the country. This was during the years 1965-1968 as he and others began to push for Black Studies programs. Eventually he dropped out of school to become actively involved full time in organizing and he participated in organizing around the country. “So when I was in college I was conflicted between studying and the organizing and the advocacy that I was involved in. And then my decision then to leave college to go full time into that where I worked with a lot of colleges, college students, and others who were engaged in the efforts to promote independent Black education. Malcolm X Liberation University here in Durham for instance is one example of that, became my heart and soul before I got into law school (Joyner, 2018).”

When he got involved with CORE, he understood the importance of having a local base that schools were centered around, and in the middle of, and those people then have an affinity and connection with the school so that they feel invested in it. For him, it never worked out in a place like New York, but it worked out well in LaGrange at Frink High School because everybody traditionally had been invested in the school. If the families and community are invested in the school, then the students then get the benefit of that investment.

Unlike Judge Timmons-Goodson, Miss Nina Simone did not forgive discrimination as easily. Miss Simone held a deep-seated animosity towards Curtis Institute of Music where her

application was denied purely due to racial discrimination. Miss Simone never recovered from that blow of racism. She felt as though she was worthy to play at the famous Carnegie Hall as a Classical pianist, thus her fame as a Jazz artist was always bittersweet. Like many Jazz artists of the time she wanted audiences to respect her performances as high-art with little distractions (Feldstein, 2005). However, as a performer-activist she unapologetically challenged the social and political norms of systems by rejecting calls to “go slow” with desegregation when she stated that if we “do things gradually” that “will bring more tragedy.” As an entertainer, Miss Simone used her latitude to speak out on issues and support various organizations such as CORE, SNCC, and the NAACP (Feldstein, 2005).

At first, she didn’t consider herself involved because she was just spurring on the activists as best as she could from where she sat on stage somehow separate, as an artist. However, the detachment feeling did not last for long as she became “driven by civil rights and the hope of black revolution” She would go on to perform concerts at a minimal cost for civil rights organizations allowing them to raise considerable amounts per concert (Feldstein, 2005).

Rep. Michaux’s Black-elite private schooling and Judge Timmons-Goodson’s integrated schooling provided them with pathways to political leadership. Professor Joyner’s close-knit segregated community schooling in rural LaGrange built the foundation for his civil rights advocacy for Black education as well as community-based education. This may explain why Joyner’s racial lens is more akin to Simone’s than Timmons-Goodson. For Joyner fighting for the civil rights of others is first and foremost a part of his makeup, as is seen in his willingness to dropout of college to organize. For Judge Timmons-Goodson, civil rights are also critical but her belief in the “rule of law” and the place that courts can have in promoting fairness and civil rights is far more optimistic. As performance-based advocacy, Miss Simone’s fiery pro-Black

activism resonated in ways that Rep. Michaux, Judge Timmons-Goodson, and Professor Joyner's advocacy cannot. However, their respective leadership and advocacy styles were all informed by their early educational experiences during the Jim Crow and desegregation eras. Most notably, their respective experiences provide three distinct educational journeys for Black students in the Carolina's during the Jim Crow and desegregation eras.

Civil Rights & Black Education in North Carolina

As I sat down with Professor Joyner, he provided me with a comprehensive oral history of Black education in the state from post-reconstruction to integration. He made sure include an account of how his educational advocacy is firmly rooted within context of this history. Even after having had previously taken a civil rights in education law course under him, our discussion left me with hours and hours' worth of information to continue researching.

N.C.'s Higher Education Integration Pre-Brown. Joyner explains how North Carolina built the foundation for its anti-equity education policy structure prior to *Brown v Board of Education*, when it went to great lengths to keep its system of higher education segregated. Professor Joyner explains, "a number of states had avoided [integration in law schools] by simply giving students tuition to go to Howard, or some other law school that was operating somewhere in the country. So they would give them tuition and they would give em' a stipend to live on—you know just go—you go there, 'we aren't gonna let you in our schools'" (Joyner, 2018). He mentions the 1939 *Gaines v. Canada* case as it found that because Missouri did not have an opportunity for Black students attend law school in that state, that that person had to have an opportunity to go to the white law school. This was because the state had an obligation to provide an equal opportunity in higher education for both Black and white students. If the

State did not provide equal facilities, then it meant that they had to open the white school up to Black students.

After seeing the *Gaines* decision come out in the fall of 1938, the NCGA went into session in March 1939 and immediately crafted House Bill 18 to create a law school at North Carolina College for Negroes—now NCCU. The bill appropriated money for NCCU Law to open its doors in August of that year as the only law school for Black folk in the state (“History NCCU”).

“They passed this bill and the administrators at North Carolina College weren’t even aware that the bill had authorized the opening of a law school here. When they found out that that was in place, then they went through a whole lot of changes trying to get everything in place by August, but they couldn’t do it” (Joyner, 2018). Joyner states that the administration had to delay the opening of the law school because “you couldn’t hire a faculty, you couldn’t hire a staff, you couldn’t have facilities prepared, you couldn’t get books in place, all of that. You couldn’t get all of that in place” (Joyner, 2018).

With the NAACP on its heels, the state tried to prevent the desegregation of the University of North Carolina at Chapel-Hill at all costs. This, seven years after successfully fighting off the first attempt to desegregate higher education in the United States in *Hocutt v. Wilson* (1933). Joyner’s statements point out the state’s lack of proper planning that a legislative body ought to engage in when they desire for a plan to succeed with appropriate institutional supports. From its inception, North Carolina College’s law school was established to fail.

Pearsall Committee and “With All Deliberate Speed.” After *Brown v. Board of Education* was issued, North Carolina dug in its heels and authorized a committee to come up with a plan to avoid or slow down the desegregation schools. “Pearsall Commission came along

to develop a plan to maintain [segregation], and to resist at all cause desegregation. And they imposed or created a bunch of different ploys to avoid that.” Here, he focuses the discussion on his view that there were various ploys created in order to maintain the racial status quo within the state’s educational system.

He continues by explaining how the legal infrastructure controlling the schools were impacted, “[p]rior to Brown v. Board of Education all the schools in North Carolina were controlled by a central state board. North Carolina Board of Education is still in place, has no power, but it’s still in place. You have the Superintendent of Education that’s elected by the people. Prior to Brown they ran the schools. After Brown the Pearsall Commission decided that the NAACP is coming, and it is highly likely that they’re going to win in court. So they then divested the State Board of Education of control over all of the schools and created school districts in every county. So every county now controls its own schools” (Joyner, 2018).

“That’s pretty much the way it is now. But they did that in order that the NAACP could not sue the North Carolina State Board of Education and get a statewide desegregation order” (Joyner, 2018). Now plaintiffs had to sue every county in the state individually to get a statewide desegregation order and instead of having one lawsuit. To get a statewide order you had to have over 100 lawsuits because that’s how many school districts there were in the state. Some of the counties were subdivided with a city school system and a county school system. For example, with Raleigh City Schools and Wake County Schools, you would have to sue Raleigh Schools and then you would have to sue Wake County Schools, because they were different systems located in the same general area. “So this was a ploy by them to make it more difficult for the NAACP to confront the segregation that was going on in the schools” (Joyner, 2018).

This diffusion of culpability was critical as legal actions of the civil rights movement cascaded across the country as minoritized citizens sought equal rights. The state recognized the NAACP as a credible threat to win a statewide court case that may force statewide integration. Therefore, Joyner's statement unpacks how this particular ploy scatters the legal accountability of the state government to integrate public schools, which in turn allowed for another decade of statewide desegregation.

Professor Joyner quickly points out that, unlike organizations like the NAACP, many Black folk loved their Black only schools. "With the exception of the NAACP, [African-American] people were satisfied with where they were because they understood the values were of those African-American schools because they were schools of distinction all over North Carolina." He states that there were Black schools that were more productive than the white schools were "because they had to dig deeper in order to get to a level playing field." He highlights how the Black teachers always taught that if you're gonna make it as a Black person in this society, "you gotta be two or three times better than a white person. And that was the push that we received in those schools so African-American leaders, other than the NAACP, did not want schools to be desegregated" (Joyner, 2018). Here he points out the tensions and struggles amongst those within Black communities about integration, not only about what was to be gained by desegregation but about what they knew would be lost with integration.

Joyner recognizes the Freedom of Choice plan as another racist ploy utilizing the same equity diversion techniques of the Pearsall Plan. Under this plan, very few Black folks petitioned to go to white schools, and no whites ever in the history of North Carolina petitioned to go to a segregated black school. "In the cities as opposed to the counties, mainly down east, you had a

few African-Americans who made the switch, petitioned to the school board and sometime the school board would allow it to happen” (Joyner, 2018).

“But that was a part of the Pearsall plan, every individual then had to make application. By making an application you exposed yourself to all kinds of publicity because every time you apply it became a news event.” Joyner continues, “And if you were in an economic situation where whites could put pressure on you then they would. And it kind of chilled the inclination of African-American to seek to have their children to go to these schools. If the Black families that made applications were in an economic situation where whites could put pressure on them then they would.”

However, as he mentions above, the communities that families came from typically had a large impact on their experiences with integration. “So you had Raleigh that had limited kind of desegregation, Durham which was a more politically savvy African-American community had three or four people to go. In Greensboro which was probably more liberal than any other place in the state at that time, you maybe had 10, 15, or 20 African-Americans who went to a white school without fear of contradiction.” As he does with Dorothy Counts, he points out that Black students carried the heavy burden of integration regardless of location. “In every case they were attacked physically, they weren’t protected by the teachers and principals in the schools because they didn’t want them there. The students just wreaked havoc, the white students just wreaked havoc on them. So after a half a year or a year they would invariably go back to the black schools” (Joyner, 2018).

Black Public Education Advocacy: Integration Struggle.

The Process of Integrating Bodies. With the weight of integration squarely on the Black community for the decade after *Brown*, “it was not until 1966 after the parts of the Pearsall plan

had been determined to be unconstitutional and after other efforts to desegregate the schools here failed, in 1970s they finally had widespread desegregation of the school system, and all hell broke loose when that happened.”

He goes on to state, “a lot of resentment developed with desegregation because you had students that were basically physically attacked in these white schools and they did not have pleasant memories, and that information was passed down to their children who did not have pleasant memories about their experiences in school.”

“African-American teachers and principals were no longer prominent in the educational picture and you had mostly whites who were teachers. And many of the white teachers did not want to teach African-Americans and they let them know that they didn’t want to teach them. So an adversarial environment developed with every school in the state and the outsiders were the African-American children, and no matter how hard they tried they couldn’t get into gifted and talented classes.” He goes on to refer to an issue faced by Black students, “they couldn’t become the top, now if you’re the athlete that’s different, that’s always different. If you’re an athlete, they gon’ look out for you.”

He continues, “[t]o the extent that you can compete in the program. But if you’re just a regular student you weren’t gonna be encouraged to do anything, and if you were academically gifted you had to excel before they would give you the same opportunities as white students.” He alludes to a cap on the number of Black students in honors programs. “And consequently, you had maybe three or four African-Americans in the gifted and talented program, vast majority of them in some other programs ...”

This is when they developed special education designations and tracking to show that Black students were developmentally disabled or displayed “disciplinary problems” that would

not allow them to participate in classes with other students. “And that’s where we got stuck which created further animosity with the African-American students which I think continued to permeate in school systems around the state today, those early negative experience that they had. So it was real, it was real” (Joyner, 2018).

The Process of Integrating Buildings. “The practice was to close down all of the segregated Black schools and send everybody to newly refurbished or newly built white schools. And in some instances that was resisted, for instance here in Durham. The Durham Committee on the Affairs of Black People, which was politically cohesive, mounted a strong challenge to keep Hillside as one of the high schools here in Durham.” He continues, “[s]o it still maintained its history, its name, and everything else. Hillside was one of the top schools in the country at that time. It was certified in NC when white schools weren’t even certified as a teaching institution.”

“In Winston Salem, Carver High School named after George Washington Carver, the community fought to keep that high school open and it’s still open today. That was one effort to resist that so that they would have this continuation of these historically Black schools, but in most other places they closed down.” Many of the facilities at Black schools were reduced from a high school to a junior high school or elementary school. In some instances, the schools would keep their name formally but would change the grades serviced in the building.

For instance, Joyner’s school in La Grange was a comprehensive school going from the first grade to the 12th grade before desegregation. When desegregation occurred, it was then downgraded to a middle school, but it kept the name Frink Middle School, named after a Black principal. “Everything else was wiped out, the school was repainted, everything associated with the all Black school was taken out of the school; pictures on the wall, plaques, trophies all of that

was just dragged out and thrown into the garbage. So all of the history, the logos, the paraphernalia, the mascots and all this stuff taken out because we were the Frink Wildcats so now it's reincarnated as a middle school." Frink Middle School's mascot is now the Cavaliers with a new history, a new signage and everything else. Joyner points out, "[t]he place has been repainted, bricks have been steamed clean and everything so now it's a new school" (Joyner, 2018).

"Or in the other situations where they've completely got rid of the Black schools, then they all split up the African-American students to go to those schools that were there. Those schools now were called North Forsyth, South Forsyth, or East Mecklenburg, or West Bladen so that you didn't have names associated with the school" All around the state today you will see those names and the Black schools closed down forcing those Black students to be shipped off depending on where they lived to one of the other schools in the county.

Professor Joyner points out that Wilmington was a different. "Williston was the Black school in Wilmington. Excellent academically, excellent athletically you know won all kinds of football, and basketball championships across the state. Certified school with a great tradition sending people out who did great things all over the country from that school..." He continues, "[s]o they split up the students into Laney and into Hoggard High School and when they go, fights break out."

"The African-American students are prohibited from participating in the band, prohibited from participating in the choir, basketball, football, can't become a part of the student government association." Joyner continues, "all these extracurricular things that's there they can't participate in, and the students rebelled. They said, 'naw, we're here. You forced us to come here, now we should be able to participate just like white students in all of these different

organizations or extracurricular activities that's going on here in the school'" (Joyner, 2018).

When the school board refused to address the issues that Black students raised, then the students walked out of school.

The boycott became what is known as the Wilmington Uprising in 1971, which was a presence by a weekend of fire-bombing and looting and a whole lot of racial tension. That morphed into what is now known as the Wilmington Ten case. As the Wilmington Ten's attorney Professor Joyner recalls, "[t]here was no proof of that other than a disgruntled African-American who couldn't become a part of the school movement. He then became the State's witness and perjured himself against these ten, along with two others and then they were convicted." He continues, "soon after the conviction they all recanted their testimony and talked about what had prompted them to become witnesses for the State. But all of that resulted from the conflict in the school" (Joyner, 2018).

Ultimately, the state would utilize various components of the legal system from the prosecutor all the way up to the Governor to imprison the Wilmington Ten and keep them imprisoned for crimes they did not commit. This is even after prosecutorial misconduct, judicial misconduct, and irrefutable evidence disputing their involvement. Undoubtedly, this had a chilling effect on other Black communities throughout the state that may not have had the same political acumen and sheer number of Black citizens to organize.

I showed Professor Joyner a picture of himself as a young man marching at the front of a large group of Black students in Raleigh, North Carolina. He noted that he had never seen this picture of himself marching with a group of protestors from Hyde county. "You mention Hyde County which is a little different. Hyde County's claim was that from its Black community, 'we're not going to white schools, we're gonna stay here at the Black schools. So I don't care

what you say or do, we're not going. So you can make all kind of edicts that you wanna make, we're staying here.'" He continues, "Golden Frinks was the organizer in that community, and they staged a number of marches from Hyde County all the way to Raleigh."

"They pressed their demands that they not be required to go to the white schools, and they were successful in that the segregated African-American school did stay in place as high school. Then they split students up between the two schools that were in that county." Joyner continues, "Hyde County is very small county, very poor, probably one of the poorest counties in the state but they were successful in keeping their all Black segregated school in operation and they came to an accommodation that worked out well for them in the short run. In the long run it ended up in them losing it anyway" (Joyner, 2018). There were different kinds of experiences that occurred around the state depending on the political power of the Black community and their resolution that they were going to keep the history and memory of those segregated schools alive. In every instance though the students that were in those schools later joined into alumni associations that are keeping the memory of those schools alive today.

"So you have in every county, around beginning in May with Memorial Day going through Labor Day, all the people come back for school reunions for those people that attended those schools and their offspring to celebrate the history of those schools and what those schools did for them" (Joyner, 2018). I can attest to this as my parents are still involved with their alumni associations from their pre-desegregation high schools. I was even able to attend Professor Joyner's annual alumni association reunion in 2014 as they honored him for his advocacy across the state and throughout the community.

While Rep. Michaux and Prof. Joyner's educational experiences highlight the positives that Black students experienced in Black educational spaces during segregation, the state's

history suggests an antagonistic bias towards Black education. Michaux and Joyner each connect segregation's ills to the present, as they discuss the institutionalized racism that continues to live and breathe within our state's educational system. Their accounts demonstrate how Black students have faced institutional pushout from desegregation onward to today. In today's society education is argued to be one of the great equalizers, where if one can obtain a quality education they can succeed in life. However, the question that remains is how can one succeed if they are routinely and systematically pushed out of educational spaces? The resulting effect of this educational exclusion has an impact similar to that of disenfranchisement, in which North Carolina has a trouble parallel history of.

Struggle for Voting Rights and Equal Political Representation

Historical Voting Struggles in North Carolina. Over the last sixty years the battle over voting rights in the state of North Carolina has been an intergenerational struggle for many within the Black community. The political engagement and activism Rep. Mickey Michaux and Marcus Bass represent two distinct eras. Although there is over fifty-five years of age between each, their voting rights advocacy is reflective of the enduring struggle against disenfranchisement in the state. Ultimately, like other states in the American South, Black North Carolinians' voting rights struggles began with the work of abolitionists in the Antebellum South through the Reconstruction Era and continues into modern-day.

Between Reconstruction and the Voting Rights Act of 1965 (VRA), voting for Black folk in the South was nearly impossible due to poll taxes, literacy tests, and outright voter intimidation, leaving most Blacks disenfranchised by white officials (Gershenhorn, 2018). Nearly all elected officials in the state were white, including the NCGA, State Board of Education, State Board of Elections, and county election boards. In North Carolina Black

political and community leaders began the fight against poll taxes and literacy tests as early as the 1920s (Gershenhorn, 2018), but as the long Civil Rights Movement gained momentum more people began fighting for equal voting rights. Organizations like SNCC, other independent political organizations, and coalitions of politicians began voting campaigns in the early 1960s (Gershenhorn, 2018).

I asked Rep. Michaux how threats of violence, limitations of public education, and control of the vote continued to persist in tandem. He explained, “Well, I think that white folks understood that whoever controlled the vote, controlled the destiny. They were very meticulous about keeping that vote within themselves. If you learned to read and write, then you overcame a lot of the impediments that they put in place so that you couldn’t vote.” He goes on to say, they kept “[t]rying to keep you in that classification as three-fifths a person, already outlined in the constitution. But the impediments—think like, literacy tests. Well, if you learned to read and write you weren’t illiterate anymore, you were literate, and you could pass the literacy test.” He finished off by saying, “These types of things, that’s why education—they didn’t want you educated because if you got educated, you’d understand what the constitution was.” And Blacks, he insisted, were probably the most patriotic people this country has ever seen because we’d just try “to make sure that those principles are carried out” (Michaux, 2018).

Rep. Michaux’s experiences echo the frustration of Miss Simone as he has observed and lived through the various tactics that are employed to deny Black folks the right to vote and gain access to equitable public education. Additionally, he proclaims that Blacks have simply wanted to ensure that the principles of the constitution are carried out. This aligns with Miss Simone’s line where she points out a clear difference between values and rights, “You don’t have to live next to me, just give me my equality.” Where whites in power were concerned with who

controlled the destiny through votes, Blacks were simply focused on standing up for their rights as outlined by the constitution. Michaux views racially targeted voter suppression as an extension of the three-fifths clause, and clearly identifies education as a political battleground that directly correlates with voting.

Rep. Michaux speaks of a time where they tried to get Black folks registered to vote in 1964: “We went down to Bertie County and places like that to see if we could get Black folks to come out and get registered. We got run out of Eastern Carolina.” I asked him why, he responded, “Folks didn’t want us around. They said all we were doing was stirring up trouble. Because we were either gonna cause them to lose their jobs, or lose whatever livelihood they had, or they were gonna get killed because white folks didn’t want them doing that.” He added that they, “literally got run out by Black folks.” Voting campaigns like this targeted the Eastern regions of the state where there were large populations of Black voters that could elect Black politicians. Still, Rep. Michaux’s statement shows that even with the large number of Black folks, they were subjected to real threats of economic, social, and physical violence if they were caught registering to vote.

Rep. Michaux noted that once the VRA was passed in 1965 folks said, “Hey, well we can go in here now and register and they can’t kick us out. They can’t embarrass us so if they try to fire us or anything like that, we have a recourse.” Although the Fourteenth and Fifteenth Amendments prohibit racial discrimination in elections, state governments continually found ways to disenfranchise Black folk (NC NAACP v. NC, 2016). The VRA worked to protect the right to vote as ensured by the Fifteenth Amendment and was successful in removing some of the indirect and direct barriers to voting for Black folks. As one of the states covered under the VRA, any changes to North Carolina’s statewide election laws—or forty counties specifically

covered under the Act—were subject to federal pre-clearance. From there, the state legislature began to take note of the things that make it easier for Black folks to vote.

One of the first bills that Michaux introduced involving voting rights was to open registration in North Carolina. “Where before you had to go to the Board of Elections to get a registrar to come to the Black community to register folks if you were going to have a registration drive. Well you didn’t have anything but white registrars at the time, and none of them wanted to show up in a Black community. So, I introduced and got passed legislation that had open registration” (Michaux, 2018). This allowed for Black communities to utilize organizations like the church to register voters in mass numbers before taking the paperwork back to the Board of Elections. This set the groundwork for widespread improvements in voting rights across the state. His direct influence in introducing these successful voting rights bills speaks to his willingness to engage in policymaking that benefits Black communities in an equity and justice-focused manner.

Then the Help America Vote Act of 2002 came about, which Rep. Michaux got involved in to try to increase the way people vote, and to get money to counties to upgrade their voting systems. From that point, lawmakers got into making voting even more accessible by making voting more accessible to folks through things like early voting and same-day registration. Between 2000 and 2012, when the law supported more voting protections and did not require photo ID, Black voter registration swelled by 51.1% compared to an increase of 15.8% for white voters (NC NAACP v NC, 2016). Black voter turnout also increased from 41.9% in 2000 to 71.5% in 2008 and 68.5% in 2012. It’s important to note that Black education played a vital role in these increases due to advocacy and activism across the state by young Black college students.

Historically Black College Students and Voting Advocacy. Marcus Bass explains that like many other young Black folks, his experiences in college led him to not only become politically active but to also become deeply involved in issues of racial justice. In 2010 he graduated from a Historically Black College/University (HBCU) in Greensboro, North Carolina, North Carolina Agricultural & Technical State University (N.C. A&T). While at N.C. A&T he found himself engaging heavily in campus politics, eventually serving as Student Government Association President. However, it was his engagement with social issues that truly increased his understanding of the various racial justice issues faced by Black Americans.

“During my time at A&T I had an understanding of social justice that was really catapulted by the Jena 6. They were six high school students, African-Americans that faced a macroaggression at school by having six nooses hung on a tree at the campus at this high school in Jena, Mississippi.” He notes that this took place from 2006-2007 before Troy Davis, before Trayvon Martin, before Mike Brown, and before the Black Lives Matter movement. “This was before everything. And in that moment—as a matter of fact—I don’t think for by-and-large, the young Blacks in America had mobilized since the apartheid issues in South Africa in the 80s and 90s” (Bass, 2018).

Bass believes, “it resonated with Black college students in a real way” as many campuses came together to send buses of students to join over 15,000 protestors to march on Jena, which had been the largest civil rights demonstration for a period of years. Joining the N.C. A&T delegation to march on Jena gave him a deeper sense of what it meant to mobilize young people. He described it as, “the first bomb blast, that really woke up our generation out of the Cosby years.” For him, it was a very powerful moment to see Black mobilizing and Black organizing which led directly into widespread organizing by young people to elect President Barack Obama.

The work of young Black folks, particularly at HBCU's were an integral component to President Obama's victories in both the 2008 and 2012 presidential elections. In addition to the laws outlined above, extensive voter registration drives and Get Out the Vote efforts at HBCUs contributed heavily to the Black voter registration and Black voter turnout increases throughout the state. Immediately after his graduation, Marcus began work for an organization called Common Cause where they were involved in an HBCU campus outreach project. "I joined that organization and really got a deeper sense of the different oppressions outside of just what I thought to be—you know—they don't want black people to vote. Now we know why, and I learned while there" (Bass, 2018).

As Marcus suggests, the success of movements and organizations such as Black Lives Matter and the Movement for Black Lives are arguably an outgrowth of Black student activism and social/political organizing surrounding Jena 6 and the 2008 and 2012 presidential elections. This places Black education directly at the forefront of the modern-day voting rights struggle within the state. Advocates like Michaux and Marcus' groundwork along with this increase in voter registration and turnout made North Carolina critical swing state in national elections, where Blacks were a major electoral force (NC NAACP v NC, 2016). "And these things we put into place that Republicans came in in 2013 and knocked out." (Michaux, 2018).

Modern-Day Voter Suppression. After the 2012 and 2014 elections, Republicans won more than three-fifths of the seats in the North Carolina House and Senate giving them a supermajority, which gave them the power to override Democratic votes. In late June 2013, the U.S. Supreme Court issued its decision in *Shelby County v. Holder* removing voting rights protections previously enacted by the VRA, which invalidated the preclearance requirements, stating that it was based on outdated data. Due to this change in the law, North Carolina no

longer needed preclearance to change its statewide election laws as previously required by the VRA. Anticipating this potential outcome, on the day after the Shelby decision was rendered North Carolina Republican leadership announced an intention to enact an omnibus election law.

Months prior to the Shelby decision, the legislature had an election bill that contained only sixteen pages and was afforded more than three weeks of debate in public hearing and almost three weeks of debate in the House. There was some bipartisan support for this version of the bill. However, after the Shelby decision, Republicans requested racial data of voting practices and in less than a month the bill had expanded to fifty-seven pages. The new omnibus bill moved through the NCGA in three days, leaving the House no chance to offer its own amendments, and the House Democrats who previously supported the pre-Shelby bill now opposed it causing the vote to proceed strictly along party lines. The Fourth Circuit court stated, “[t]his hurried pace, of course, strongly suggests an attempt to avoid in-depth scrutiny.” Further, they could find no other legislature in the country that “has ever done so much, so fast, to restrict access to the franchise” in what was considered the monster voter suppression bill (NC NAACP v. NC, 2016).

After receiving the racial data, the legislature enacted legislation that restricted voting and registration in five ways: 1) required in-person voters to show certain photo ID; 2) limited early voting by one full week; 3) eliminated same-day registration, 4) eliminated provisional voting, allowing out-of-precinct voting; 5) eliminated pre-registration allowing 16 and 17-year-olds to indicate their intent to vote that automatically registers them once they turn 18. Each of these ways were found to disproportionately impact Blacks. North Carolina in particular already had a long and troubling history with Black voters, which caused the Fourth Circuit to find that these new provisions “target African Americans with almost surgical precision” (NC NAACP v. NC, 2016). By rushing through the most restrictive voting rights legislation in North Carolina

since the enactment of the VRA of 1965, the NCGA acted beyond the realm of politics as usual. The NCGA further restricted voting rights after analyzing racial data that was admittedly used in the omnibus bill. When considering the full context, past and present, the omnibus bill was an instrument of white supremacy constructed precisely at a time when Blacks had gained more electoral power in the state than ever before.

Attorneys, advocates, and activists alike have been engulfed in a battle over voter suppression laws for nearly a decade. Professor Joyner describes the struggle, “obviously when the right-wing Republicans took over, they moved immediately to get rid of those opportunities to vote. And we’ve been involved now with what we call the ‘monster voter suppression bill,’ it took us six years to finally resolve that in court. The redistricting and gerrymandering that occurred in 2011-2012 we’re still fighting that. So that’s been an eight-year battle” (Joyner, 2018).

In 2016 the NCGA was called into a special session to address funding to support the emergency relief for citizens in North Carolina that were impacted by Hurricane Matthew. They used those emergency sessions to insert another round of voter suppression laws similar to the prior monster voter suppression laws. They doubled down on their plot to further restrict voting rights at a time where they were supposed to provide relief for North Carolinians effected by Hurricane Matthew. This is just another example of an instance where the General Assembly has continued to enact racially discriminatory voter suppression laws at the expense of all North Carolinians.

The effects of the illegal voter suppression bills are long-lasting. Joyner explains, “in two more years they’ll have to redistrict again. So you add eight years of fighting an illegally constituted General Assembly—I mean the federal courts said that this General Assembly was

illegally constituted—yet they are passing all of this regressive legislation here in the state that becomes the law and still is the law in the state, and we’re fighting and we’re constantly winning where the court is saying you are illegal but these illegal people are enacting laws.” He continues, “And the court has said, well whatever laws they pass they’re good. You’re bound by those laws, so until you can change the complexion of that General Assembly you can’t reverse a lot of the illegal stuff that they’ve done” (Joyner, 2018). The nature of this flawed political process has done nothing to dissuade lawmakers from engaging in unconstitutional practices to gain and maintain power all-the-while continuing to implement illegitimate laws. Much like following the *Brown v. Board of Education* case, the wrongdoers have been placed in charge of correcting the very wrong that they inflicted themselves.

Judge Timmons-Goodson adds, “[a]nd it’s not just across the state I might add, it’s taking place in a number of other states and jurisdictions.” Voting rights have come to the forefront once again after President Barack Obama served two terms. She believes that it made some people feel threatened, as the election of a Black man to the presidency caused some in our society to say “oooooh. Okay. So, what’s next?” She mentions the ‘browning of America,’ as a possible explanation as people reckon with the notion that folks of color will be the majority in this country. She says, “so, all of that I think caused folks to begin to be concerned about how long their power would continue, and so these steps that you see in terms of suppressing the vote, all of that’s tied into maintaining power and control” (Timmons-Goodson, 2018).

Marcus has continued to work on voting rights campaigns in various communities across the state in addition to his work with college campuses. He explains the importance of his work with Democracy North Carolina, “a lot of times organizations are only looking at registering voters—getting more people into the base of democracy—but not a lot of groups are really

looking the systemic factors that create voter suppression, that give you the laws and the policy that govern some of the mean, evil-spirited local politics that have turned into statewide legislation that is now turned into federal legislation like gerrymandering, like the repeal of same-day voter registration.”

I asked Marcus about some of the systemic barriers that take place outside of the context of state lawmakers, and he referred to the people that make the rules around the process for voting. Things such as the dates, times, and locations that people can vote “are determined by, not by elected leaders, but by local boards. And a lot of times these local boards are entrenched with more racist people than some on the elected side.” On these boards you have folks that have a seat on the board for years and years, and according to him they are “able to enact their vengeance through some very interesting ways” (Bass, 2018).

He points out that Black folk participate in early voting more than any other community, and “these local boards decrease the number of hours for early voting and limit the locations in areas where you know people need public transportation to get to some of these locations they’ll limit the access to the polling sites for people that need transportation.” He speaks about how voting precincts having over 100 people waiting in line is not a good thing. “Think about the people in that line. The mother that is supposed to be picking up her kid from daycare, you know, or took off thirty minutes. Took off the lunch break to go vote you know, and now they have to wait in line for an hour and hour and a half. When two miles down the road the next precinct has two people and ten empty voting booths” (Bass, 2018). He has found that that’s systemic and not just state actions that the court has deemed as “surgical precision” to target Black voters, but also on a county level with local boards that understand how to control power with underhanded methods that are harder to get into court proceedings.

“There are still counties in North Carolina where the landlord will knock on doors in Black community and tell Black citizens who they need to vote for and if they don’t vote a certain way they could get evicted. You know there are still areas where an employer a boss will load up all the workers in the company cars the company vans and take them to the polls and tell them who they need to go vote for.” He has found through his advocacy work that is still very much so prevalent in North Carolina. He continues to state that, “[t]here are still communities where African-Americans feel unsafe because outside the polling precinct you see members of a white supremacist waving confederate flags outside the polling precinct. You’ll see situations where there will be police checks by polling precincts to deter voters that may be in fear of having to go through the judicial system for whatever reason” (Bass, 2018).

He finds that all of these factors accumulate as a systemic plot that leads to lower voting rates for Black folks. “It’s very interesting to see how that plays out in a way that suppresses the vote even more so than what people see in just the legislation” (Bass, 2018). As of the writing of this study, due to election ballot fraud, North Carolina’s 9th Congressional District has been without a representative since the November 2018 midterm elections.

The State Board of Elections investigated the irregularities and voted unanimously against certifying the race, and eventually unanimously voted to call for a new election in the Fall of 2019. The investigation centered around Leslie McCrae Dowless who was indicted on charges of obstruction of justice and possessing absentee ballots on behalf of Republican Mark Harris of Charlotte, N.C. Dowless was found to have illegally collected, filled in, and submitted mail-in ballots from voters in two rural North Carolina counties. The investigation and testimony concluded that Harris was at least warned of Dowless’ history of election fraud and ignored it in route to failing to comply with the Board’s subpoena documents and communications related to

Dowless. What has now become a full-fledged political scandal, this case garnered national media attention as many who had tried for years to bring attention to election fraud within the state. With the polarization and racialization of bipartisan politics, race was a central factor as many Black community members rallied and attended community meetings within the district leading up to the conclusion of the investigation. Twice as many Black absentee ballots from Black voters that tend to vote for Democrats, were not returned compared to white voters who vote for Republicans (Murphy, 2018b).

Utilizing race as a tool to dominate politics here in the America's pre-dates even the founding of the United States. In the American South, including in North Carolina's the usage of race as a tool of dominance included acts of violence. Judge Timmons-Goodson states, "unlike the 1876-1900 struggle here in North Carolina it's not erupted in the violence that we're familiar with down in Wilmington and in so many other parts of North Carolina." While the disenfranchisement of North Carolinians in the 20th and 21st centuries may not have reached the level of physical violence of the 19th century, one could argue that they have been equally if not more deliberate and malicious. The NCGA's usage of voting data and maps can only be understood as race conscious plans to limit Black political power in the state.

Rep. Michaux stated that a lot of the work that he and others worked so hard for during the civil rights movement has been reversed within the last few years, and he has been front and center to witness it all. "What did I say about history repeating itself? There it is right there. That's what it is. You've got to be on guard every day. One other thing that I have said and believe. We have morphed from the 19th century to the 21st century forgetting all the progress that we made in the 20th century." He adds, "and that's in education, voting rights, and economics, anything you wanna put on it. That progress we were in the process of making—and

made—has gone by the wayside. I mean, why?! I can't understand why Republicans don't want folks to vote, and why they don't encourage turn out" (Michaux, 2018).

His remarks prompt a myriad of questions like what do modern-day Republicans have against people voting? What do they have against giving people the opportunity to cast a ballot in a free and democratic society? Why do they want to cut out the same day registration? Why do they want to cut out the extra time for folks to get to the ballot box? "And we've given [citizens] an opportunity to participate two ways, with early voting, extra time to vote, and being able to hang on to their jobs or not have to lose their jobs to go vote. We're killing two birds with one stone, what do you have against that?" (Michaux, 2018). It is clear that voting rights protections currently works well for one party, but what is less obvious is that racial justice lies at the core of the issue.

Gerrymandering, Right or Wrong? Gerrymandering takes place when voting district lines are redrawn to predetermine the outcome of elections, not allowing voters to voice their interests by voting. Rep. Michaux admits that when in the majority position N.C. Democrats would gerrymander, redrawing congressional districts to favor Democrats seven to six. Now that N.C. Republican lawmakers are in power, they have tried to draw districts to favor Republicans eleven to two. Case-in-point, in the 2018 mid-term elections while the total votes casts for major party candidates in the state's thirteen U.S. congressional districts about evenly, Republicans won ten of them (Murphy, 2018a). In the 2018 state legislative election, N.C. Democrats won the popular vote by 79,000 votes but only won 54 out of 120 seats (Ingraham, 2018).

Although these Republican-drawn maps have been declared unconstitutional twice, once in 2011 and once in 2016 for racial gerrymandering, courts allowed the maps for the 2018 election but not for future elections. Professor Joyner discusses the fight against

unconstitutionally gerrymandered maps and how he had to fight against the so-called ‘corrected’ maps. He explains, “now we’re at the point that the court says welp you’re right because what they presented here is really a revival of the same thing that they had before. So now they’ve got a special master in to do it. So we’re expecting to go back to the U.S. Supreme Court to deal with that in probably the next year or so. But by then we’re in another redistricting cycle” (Joyner, 2018).

At N.C. A&T the unconstitutional congressional map put in place by Republicans for the 2016 and 2018 elections unfairly split the campus of 12,000 students right down the middle. As the largest HBCU in the nation, the voting power of the students on campus is substantial. The same organization that Marcus Bass worked with after his graduation, Common Cause NC, is a plaintiff in one of the redistricting cases before the Supreme Court. Common Cause has worked with N.C. A&T students to rally against what they believe to be unfair gerrymandering to dilute the voting strength of the campus by splitting it between two districts. The dividing line runs north and south splitting about half of the campus between the 13th district represented by Republican Rep. Ted Budd and the 6th district represented by Republican Rep. Mark Walker. N.C. A&T is not the only college campus split between districts as East Carolina University and UNC-Asheville are also split. However, N.C. A&T’s split is unique in that it splits the campus in half as opposed to a split closer to the edge of campus like at UNC-Asheville.

Considering the organizing power of Black college students on HBCU’s as outlined above, it doesn’t rise beyond the realm of possibility that the NCGA Republicans intentionally split N.C. A&T between two districts in order to weaken their voting power. The state’s Supreme Court found that they previously utilized racial data in ways that target Blacks with “surgical precision,” therefore Common Cause and N.C. A&T students’ claims of racial subjugation

potentially have merit. As the U.S. Supreme Court is expected to rule on Common Cause's suit in the Summer of 2019, the legislature has the option to set up an independent redistricting commission to create maps that focus more on geography and less on divisive politics.

All-in-all gerrymandering and the drawing of districts is a heavily political topic as each party positions for an electoral advantage. In Mississippi Goddam Miss Simone chants "too slow!" because changes come much too slow, just as we see here where elections are won and lost based on unconstitutionally constructed maps resulting in laws that are enacted by lawmakers who have entered their offices based on the same unconstitutional maps. N.C. A&T students and voting rights advocates echo Miss Simone's sentiments as they continue to push for lasting changes to a structure that systematically produces and reproduces inequality by diluting the strength of votes of Black communities. All-in-all, NCGA's proven history of racial discrimination against Black communities has been administered through both educational and voting structures.

The Struggle for Fair Courts. In addition to legislative and congressional maps, judicial maps have become a critical component of this struggle as well. While making a speech at the North Carolina Legislative Black Caucus Founder's Day event Rep. Michaux lightheartedly bragged about gerrymandering to get the first Black superior court judges elected in N.C., to which Judge Timmons-Goodson sitting behind me said something to the effect of "now you better not say that!" While joking at a serious matter, Rep. Michaux illustrated how easily a measure previously used to support a more democratic and equitable political process can be flipped and utilized at the expense of democracy. Put simply, redrawing district lines can provide communities with more equitable representation, the problem occurs when lines are drawn for a political advantage solely based on race or political domination of one political party.

“And then here again you’ve got me involved in something. The reason that you’ve got a Black judge sitting in superior court right now is because of me! I was the one that introduced the bill to do it. I was the one that drew the lines to make sure that there were superior court judges elected who were Black like me” (Michaux, 2018). The year before Rep. Michaux wrote that legislation and had it passed, there were only three Black superior court judges who were all special judges. The year after the bill passed thirteen Black superior court judges were elected.

Rep. Michaux redrew voting districts as a way to provide the state with Black judges at a time when there were no Black judges sitting on the bench. His practice of gerrymandering is far different than current day Republicans who have utilized gerrymandering as a mechanism of political and racial domination. Black politicians and grassroots advocates have long utilized racial data and race consciousness means to promote diversity and equity. Yet as a state there has been an uninterrupted pattern to disrupt these efforts through contradictory race conscious means, as demonstrated by North Carolina’s Republican Party after the rendering of the Shelby decision.

On January 10, 2018 a crowd of people gathered across the street from the N.C. State Legislative Building to protest changes that lawmakers proposed for how judges are elected across the state. Various advocacy groups such as the state NAACP, Democracy NC, and others joined together to speak out against reforms proposed such as the new election lines for District and Superior court seats and abandoning elections for an appointment process giving the legislature the ability to create a new election system where judges have to run for office every two years (Blythe, 2018). After losing a few key battles in the courts, the legislature has turned its pattern of political domination onto the courts.

I asked Judge Timmons-Goodson about the importance of fair courts in the continuing struggle for racial equity. She replied, “Well, I see as an element of fair courts, the involvement, the participation, decision makers reflect and look like the communities in the country that they’re serving. And so, that would mean diversity on the bench.” Here, she highlights the need for Black communities to have Black representatives advocate on behalf of the community which includes those serving as judges. She adds, “Now, you know, we can have the conversation all day long about how everybody that looks like us doesn’t think like us, but I think generally diversity is a good thing and through a diverse bench and diverse ideas, diverse experiences, our justice that comes out of those courts is more likely to be fair” (Timmons-Goodson, 2018).

Timmons-Goodson notes that an independent judiciary was at the heart of the *Brown* decision. Supreme Court Justices’ have lifetime appointments, so in theory they are shielded from the court of public opinion and the political realm—unless they are subject to impeachment. Justices are at liberty to apply the law as they understand the law to the facts and to render a decision without worrying about being influenced. She adds, “That’s what a fair and independent judiciary did in *Brown*... They had the independence, they applied the law as they saw it, but if the judges don’t feel that their going to suffer politically, you know personally, by their best call, best effort to call the law as they see it, that’s what fair equitable courts and judicial independence is about.” She continues to explain the impact on racial equity, “and I think that’s a good thing because as long as African-Americans and other minority groups are lacking in power and influence, that means that somebody else is going to have the upper hand. And without an independent judiciary those individuals would be able to exert and exercise their

influence in a way to get the decision, the justice that they think that they deserve” (Timmons-Goodson, 2018).

It is no coincidence that the struggle over fair courts has intensified as more and more Black judges, judges of color, and women judges are elected and appointed to the bench in North Carolina. In the same way that the current Republican legislature responded to Black voters having more electoral power than ever, they have responded to a more diverse bench. As more judges are in place to construe the law in ways that support vulnerable communities, those in the legislative branch that are opposed to serving those communities view the judicial branch as a threat causing them to attempt to enact legislation deeply impacting how judges are appointed and elected.

Marcus concurs with Judge Timmons-Goodson as he states that they are “pretty much whitewashing the benches in urban areas and making it to where communities of color will no longer see judges that represent them. So we’re talking women on the bench, you’ll see less of that, you’ll see less of Black judges on the bench and you’ll see a lot more sentences handed out in a harsher way.” He goes on to state, “the same manipulation and gerrymandering of the congressional districts and of the legislative districts, now we see a doubling down in our judicial system where for the first time in fifty years the General Assembly wants to redraw the lines of our judicial system in a way that—in some districts the gerrymandering in which they have done in the congressional and legislative maps that were proved unconstitutional, they’re using the same tactics to draw the judicial maps” (Bass, 2018).

Judge Timmons-Goodson knows that our justice delivery system is troubled, but she believes that it is still the best system in the world and that we have ways to address the deficiencies we see there. She believes that the notion of an independent, the principle of an

independent judiciary is more than just words. As a retired judge she was able to stand side by side with activists as they demanded change. “Well that explains why I was there. I’m a retired member of the judiciary. You didn’t see active—and a matter of a fact I said that they can’t speak up for themselves unless they be accused of political activity. And the legislature, they know that. They absolutely know it. No, but that’s why I chose to do it. Generally, that’s who you’ll see speaking up, lawyers and retired judges” (Timmons-Goodson, 2018).

In her experiences as a girl integrating the schools in her town she was unfairly overlooked for an opportunity, in which she acknowledges was likely about race because the teacher had never taught Black students. This experience and similar experiences are critical to her racial understanding, which points out why her and other folks of color being on the bench is so critical. Lived experiences as racialized beings teaches one how to spot out how inequity manifests and transforms. For Judge Timmons-Goodson, fair courts—and jurisprudence as a whole—are similar, and though she may not consciously look at each situation through a racial lens her experiences allow her to easily spot out the inequities. This relationship with racial struggle and inequity has led Judge Timmons-Goodson to lead a life of advocacy.

Conclusion

“They parallel each other completely—the education and oppression of education through legislation and voting rights, and the oppression of black voters through the struggle in voting rights in North Carolina” (Bass, 2018).

Mississippi Goddam was prophetic as it aggressively called out the sluggish nature of civil rights politics in the midst of injustice, intimidation, and violence against Black folks. Miss

Simone calls out the institutional and structural racism of the southern way of “doing things gradually.” Political and legal systems often take time to garner public support, requiring a great amount of political maneuvering in order to push through substantial reforms. However, through the experiences of Rep. Michaux, Professor Joyner, Judge Timmons-Goodson, and Marcus Bass we see that in the case of North Carolina the state finds a way to move quickly and punitively when given the opportunity to disenfranchise and marginalize vulnerable populations.

Marcus states it perfectly when he says, “I always like to start this with an analysis of power because that’s what this is about, especially for America... in the context of why and how voting and education have been used as measures of power and oppression, I think we have seen in North Carolina a parallel in the legislation of education and the legislation of race politics ... every single step along the way Blacks have had to legislate their power through education and through voting rights in a very real way” (Bass, 2018). Whether during post-reconstruction, the Jim Crow era, or modern times North Carolina has proven again and again its patterns of anti-blackness by routinely opposing equity measures. Judge Timmons-Goodson explains, “You know, I don’t mean to be cynical, but it just seems that it’s all cyclical. You know they say the more things change the more they stay the same. You just stay still long enough it’ll come right back to where it was and in many ways that is what we’re seeing” (Timmons-Goodson, 2018).

Judge Timmons-Goodson, Professor Joyner, and Rep. Michaux have all lived to see the cycle of inequity and have witnessed firsthand how it has survived through policy and politics from generation to generation. But there is nothing more important than learning from that history and understanding how that history continues to impact us in the present and future. As a political organizer Marcus recognizes the importance of utilizing history. “As we continue this deep dive into figuring out why we’re not educated, why our power is being limited through

voting rights we're peeling back an onion that is showing us the real history and the real power that can be more empowering than it has been oppressive" (Bass, 2018).

Judge Timmons-Goodson points out that for those accustomed to exercising the control, they will respond in a certain way when they feel threatened and that we should anticipate it and be prepared to handle it. "So how might we do that? I think history tells us that we organize, that we educate one another about what's going on. A part of that education is knowing about the past and the history, and the responses to the various actions taken" (Timmons-Goodson, 2018). Although currently we are not subjected to policies demanding thirty-nine lashes on our bare backs for attempts to liberate Black folks; what does it say that today racial data, unjust policies, and voter suppression are still used to disenfranchise thousands, disallowing them to participate in our supposedly democratic society. Heartbreakingly, it seems as if they've simply turned in the whip for the pen, Carolina Goddam.

CHAPTER 7: POWER [Educational Justice/System Advocacy]

“Power begins from within. Power is in all of us. Power lies within you. Power is here in North Carolina.” - 9th Wonder -

On a cold December night in 2017 in Durham, NC I stood outside in a long line waiting for a live concert to begin. As the line quickly wrapped around the building, I saw more and more familiar faces out to support North Carolina’s own, Rapsody on her “Wisdom is Power Tour.” Not even the snowfall could dampen the crowd’s excitement as we were slowly herded into the intimate venue. Her two nominations for the upcoming 2018 Grammy’s had many of North Carolina’s Hip-Hop enthusiasts eager to support her Durham tour stop, in which the Snow Hill, N.C. native affectionately refers to as a second home.

In her first album released in partnership with Roc Nation, “Laila’s Wisdom” was nominated for Best Rap Album and her single “Sassy” scored a nod for Best Rap Song. The second track on the album “Power” featuring Lance Skiiiwalker and Kendrick Lamar, like this chapter, centers on the notions of Blackness, collectivity, relationships, and home as it engages with the question what power is. During her set, just before performing Power, she made sure to take a moment to acknowledge the Durham crowd that consisted of family members and loyal Carolina-based fans.

As I enjoyed the concert, I realized that this was an unexpected but critical experience in the field. Ten years earlier as an Ethnomusicology major, I learned Hip-Hop History at North Carolina Central University under Professor Patrick Douthit. Professor Douthit is better known as one of Hip-Hop’s premier producers and DJs, 9th Wonder, or 9th as we call him. In addition to teaching as an Artist in Residence in NCCU’s History Department, 9th also teaches Hip-Hop centered courses alongside Dr. Mark Anthony Neal at Duke University in the Department of

African and African-American Studies. He has also served as a fellow in Harvard University's Hip-Hop Archive, as he also has worked on a three-year research project at Harvard's W.E.B. Dubois Institute. As an artist signed to 9th's record label, Jamla Records, it's readily apparent that Rapsody is one of the primary beneficiaries of 9th's extensive musical, historical, and intellectual prowess.

Each week during class as we learned about the legacy of Hip-Hop, 9th would constantly remind us that "ain't nothin' new under the sun" as we were introduced to samples of music from decades past that we assumed were new hits. He taught us that Hip-Hop was created as a cultural narrative through, amongst, and as a resistance to struggles that our people faced. Through its five foundational elements: MCing, DJing, Breakdance, Graffiti, and Knowledge, it has prompted cultural and political revolutions across the globe, challenging traditional power structures and asserting a collective power of its own. Although Hip-Hop was once enjoyed by a limited segment of American culture, now it is internationally commercialized and serves as a major cultural and political influence around the world.

Both 9th and Rapsody regularly engage with Black history and Black folks' stories of struggle for and with power. In the summer of 2018, I spoke with 9th and Rapsody after a concert about how many of our people still deal with the same issues that our communities faced during desegregation. Through the foundational Hip-Hop elements of MCing and Knowledge, 9th and Rapsody are leaders and pioneers in establishing the power of North Carolina in Hip-Hop culture.

Even beyond the United States Hip-Hop has proven itself a critical political force globally where artists challenge repressive governmental and institutional regimes even in the face of imprisonment. Rapsody and 9th's words and art, along with the revolutionary spirit of

Hip-Hop, reminded me that equity and justice are a constant struggle, a struggle of and through systems of power. More importantly, I was reminded that when communities use their collective power and when those in leadership positions are committed to justice, sustainable and equitable change is possible.

When students are pushed out of public schools, they often face systems beyond traditional education systems. Whether in the criminal justice, juvenile justice, housing, or other social welfare systems Black students often face racialized barriers at every level. As a large school district WCPSS is not insulated from these challenges. This chapter highlights how three education community leaders struggle through and around systems of power for racial education justice at the state, district and local levels.

Jen Story is the supervising attorney with a non-profit legal aid organization, where she represents low-income families on anything related to education. She works primarily on anything that pushes youth out of school, which ranges from school discipline, Special Education, school assignment and enrollment, to discrimination of any kind. She states, “our goal is to keep kids in schools and also out of the court system.” When I asked her the most challenging aspect of her work she responded, “It weighs on your soul.”

Principal Terrence McCotter served as a high school assistant principal from 2013-2016 and as a middle school principal in the district from 2016-2019. In September 2019 he began as a high school principal in the district. Principal McCotter grew up in my hometown and we attended middle school together, and he admits to being treated differently because of his race in a community with a racial divide. When I entered the field, I was surprised to find out that his

path led him to becoming a principal, and I was encouraged to find out that he had been a part of one of the district's middle school equity teams. As a proud husband and father, he believes that it's essential that the school environment feel like a supportive family for both staff and students.

Superintendent Rodney Trice works in WCPSS' Office of Equity Affairs to provide a strategic focus to any equity issues that the school system may be involved with. His work spans to working to address achievement gaps, curriculum and instruction issues, and various other issues such as whether they engage in business fairly with women owned and minority owned businesses. Their Equity Office reaches into a lot of different departments. He also works with community involvement, as he is involved with the district's Community Equity Leadership Team (CELT), which is composed of various advocacy groups and individuals organizing against inequity.

Education Justice System(s)

Crushed by Systems. Jen Story understands that the youth and families she serves in WCPSS are absolutely getting crushed by systems. While a lot of the discourse states “ah the systems are broken they're not helping our kids—and it's even worse is when you delve deeper,” she explains “it's like they're not broken. They're working exactly how they are designed to work.” For Jen it makes it even harder for her to challenge the systems when there is such a huge bureaucracy in Wake County, where the population is over one million people. Understandably, she feels that trying to navigate through those barriers while also seeing how quickly kids are pushed out of schools, treated as numbers, and easily cast aside has been incredibly rough. “Trying to balance hope and passion and fight with just kind of recognizing the weight of what's

actually keeping these kids out. It's not individual mistakes [made by students] or, you know, incidents on a given day, [there are] larger issues at play" (Story, 2018).

The families that she tends to work with at Legal Aid are all low-income, meaning they are literally dealing with one system after another. The Wake County Public School System (WCPSS) is a massive thing to be dealt with in its own respect, serving over 160,000 students in 183 schools. "Some of the schools have students with like 3,000 students per school, so trying to navigate through that. The families are living in public housing and having to deal and navigate through that. The families are living in public housing and having to deal and navigate through that." She explains that youth get "funneled into the court system, because once you get in the court system you're automatically—added to this non-profit and this service and this and that." In many ways she views the district's Juvenile Delinquency Prevention program, providing various non-profit services, as yet another stumbling block for some youth and their families.

She views it as under the guise of a well-intentioned desire to "fix" these youth and their families systematically where they have to seek assistance in order for their problems to be resolved. However, she recognizes that the youth and families utilizing the services are not the ones that truly need the "fixing." "You already have families that don't have the resources they need to get to the appointments, to have jobs to get the capital that they need to navigate to make all of these additional requirements put on them. And they aren't able to show up at school for all these different meetings every time their kids getting suspended, and the parent gets stigmatized like they don't care or any of that." She continues, "so, it just seems like the weight of the world often falls on these families and they're expected to—again and it's painted as like 'oh we're trying to help them'—but it's just one more system to put them in to help them and kind of add more pressure" (Story, 2018).

A Straight Up Numbers Game. As a resident of Wake County, I have remained at least generally aware of the reported decrease in the school discipline numbers since my graduation from WCPSS as a high school senior in 2006. I was curious to know directly from Jen how the landscape of her work has changed over the last ten to fifteen years. She states that particularly in Wake County, “when I first started there were thousands of suspensions each year. Short-term suspension, which is ten days or less, and long-term suspensions, there were thousands of long-term suspensions each year.” Jen’s approach started off as what she refers to as the “gadfly approach that we would just kind of try to drive up the transactional costs of them, kicking kids out, and represent any kid that we could. We started seeing those numbers go down and at first it starts to seem like a victory but then you start realizing that they’re just shoving those kids into different places” (Story, 2018).

“Instead of them being completely suspended without anything, which is—it’s good, we have far fewer kids that are suspended without anything. But now the same kids, the same population of kids are being pushed into kind of subpar alternative programs that are only a partial day.” There were still troubling issues with the district’s school discipline infrastructure. Especially students with IEPs in special education that she states were “put in to two hours a day programs, online only, being served McDonalds, and not being counted as suspended because they were getting ‘school’ but the suspension numbers were dropping but we’re realizing that these kids are being shoved into these settings.”

Jen and her office filed several complaints challenging those programs and eventually got the programs improved. However, she continually stressed that even as the numbers are going down the district still does not serve these students and that it is still the same population of

students being pushed out and receiving insufficient instruction. She states, “you’ve done nothing to address the disparities you’ve just kind of shuffled them around.”

“And the latest issue that’s really popped up is Wake County’s figured out that if they really want to get their long-term suspension numbers down—so the statewide report just came out and Wake County’s suspension numbers are—I believe they’re even zero I haven’t looked through it. But they just started reassigning kids to these alternative programs instead of letting them go in lieu of suspension.” According to the 2019 Racial Equity Report Card produced by the Youth Justice Project, in WCPSS for the 2017-2018 school year there was only one long-term suspension and two expulsions (Youth Justice Project, 2019). If you look solely at the numbers, this shows a drastic improvement in long-term suspensions.

However, according to Jen, what happened previously is that they would long-term suspend students, and then pursuant to the state law send students to an alternative program in the meantime. “The alternative programs for non-special education kids are terrible.” They are online only programs where students and their families have to provide their own transportation if they want to go to a site to sit with other students in the program. Otherwise, the students have to sit at home. She states that “at first, they weren’t even given laptops or Wi-Fi but now they will sometimes receive those. But I mean you’re not supervised, you’re not in contact with your peers, you’re not in contact with adults, and so you’d see a lot of kids they’d rather drop it off and not do it and so those kids would kind of be suspended again so you get those numbers” (Story, 2018).

“Now what they do is they just, instead of giving it to you and offering it to you and you don’t complete it, it reverts to a suspension. Now they just reassign you and if you don’t complete it it’s just like an attendance issue or a truancy issue.” This is why advocates like Jen

see it as the same program, the same kids, and same issues but now they just don't report them as suspended. They don't track the data, but they just refer them back to their base school and advocates have no concept of the true numbers now. "They've effectively subverted any ability to identify these issues so again like the underlying problem has not changed at all but the public face of it." According to Jen, WCPSS has long been shamed for long-term suspensions and school discipline issues and instead of actually grappling with the underlying issues they just started playing with the numbers.

I asked her if she had any indication of why they would do it in this particular way and she simply states, "because CMS (Charlotte Mecklenburg Schools) does it that way." She recalls a WCPSS board meeting where they had a school discipline work plan session. "At that meeting they were releasing the SRO numbers and the discipline data numbers, and part of the agenda was solutions to address the high rates of suspension. I was just like alright, finally we're here. And they presented their report and one of the slides had like a comparison of WCPSS against Forsyth County Schools and CMS schools and their numbers were way lower."

She continues, stating that WCPSS board members acknowledged that these reassignments were "ridiculously segregated," and that "the outcomes are really low for students." She recalls that board members "were openly saying that's not genuine, we're getting dinged for numbers and [other districts are] not reporting and they're still not serving kids. So I was like okay this is where we're gonna talk about how we're gonna get our numbers down and help kids. And they were like well we're working on a change to the policy that'll let us be able to report our numbers the same way and that was literally their solution" (Story, 2018).

"They knew exactly what they were doing, it was a straight up numbers game. And so before their long-term suspension numbers had come down but you could still at least show like

that Black males are four times more likely to get a long-term suspension and now you can't even show that because they've hidden it." She continues, "and it's completely deliberate and none of it was about serving kids and helping those kids, like it was absolutely about making the district look better because they've changed nothing about how they serve those kids. They still get pushed out, but the district looks better. I can guarantee—because the numbers just got released—I can guarantee there's gonna be an article saying that Wake County's numbers have plummeted. The statewide numbers have now plummeted because Wake County's numbers jumped from like 400 down to 0" (Story, 2018).

As recently as during the 2016-2017 school year WCPSS had 11,863 short-term suspensions of one to ten days. However, with the total numbers steadily declining, Black students are still nearly 7 times more likely than their white counterparts to receive short-term suspensions, and Black youth are 10 times more likely to be referred to juvenile delinquency court (Youth Justice Project, 2019). Black students only account for 23% of the total student population they account for nearly 60% of the total number of suspensions. Jen's work highlights how this systematic process seeks to hide institutionalized racism by addressing numbers instead of Black youth and their families.

While it's easy to see how WCPSS recognized the power of numbers in controlling the narrative of their school discipline issues, it's important to point out how Jen and Legal Aid capitalized on numbers as well. By utilizing the gadfly approach, attacking the system itself in an attempt to overbear the courts with as many cases as possible. In turn, the total number of cases referred to the courts decreased substantially. On one particular day while teaching as a substitute at a WCPSS high school, I spoke with a special education teacher at length about his involvement in the building of the district's discipline plan. Overall, he echoed Jen's accounts

WCPSS' strategic avoidance of equity. Most notably he agreed that reassigning students did nothing to help students, but it did help disguise the district's racialized suspension disparities.

Equity in Schools in 2018 – Terrance McCotter

Principal McCotter recognizes the data, but he purposefully points out the climate and the environment, because he believes that students need to feel connected. He wants his teachers to be cognizant of the kids in their classrooms and try to make sure that every kid feels like they are a part of a family. "Staff could be a family, we can say that, but I mean our kids are a part of our family too. So that's where I want to make sure that we're able to address and put our attention towards" (McCotter, 2018).

At his school they have an equity team which is a committee of teachers along with himself. They meet to continually build on their own understandings of equity and try to build a great sense of what it means to have equity versus equality. They talk about equity versus equality at length in our equity team meetings, with a goal to talk to more staff members about what that difference means as well. "Our goal is to talk more to staff about what that means as well. And one of the things that we're going to address and hit head on is bias—implicit bias—we've already worked to define that with our staff, and then we're going to also try to go even deeper and discuss racial bias, and how even that bias whether it's implicit or not can affect student learning."

"So we're right in the middle of planning and working on those conversations because we know it's important to have." He acknowledges the importance for educators to know and be aware of biases that they may possess, by having his staff reflect on their own practice, their own biases and then having courageous conversations. Conversations that begin with "okay I

acknowledge it, so what does it mean for my practice?” Not one’s that center around finger pointing such as, “you’re a problem,” but those that center around reflection, “let’s see, let’s know we’re in this and reflect, and then be able to address it in our classrooms” (McCotter, 2018).

Beyond Dialogue, Equity & Resources. Then I asked Principal McCotter what are the next action steps beyond dialogue? He states, “for so many years we’ve tried to get to a point where there is dialogue and—beyond dialogue—actual understanding and acknowledgement.” He speaks passionately about the need for equity in schools, as he states that he would like to see a community or school that provides opportunities for everybody based off what their needs are to make it. “I would like to see a community or school that provides opportunities for everybody based off what their needs are to make it. And that’s not one blanket everybody gets the same thing, it’s a matter of what does that person need to make it.” He continues, “and if someone is able to acknowledge and have an understanding how race could have had a role in setting someone back, then maybe they’d be more willing to provide what they need to move ahead.”

He goes on to address how resources should be distributed, “so resources in the community that are provided, that are equitable whereas we may have to shift the resources here to make sure that they have the same opportunities that this group over here has because they’ve already had chances to make it and they’re already right here at this point.” He believes that once the resources that are in our classrooms have shifted, we’ll see that our best teachers, our best educators, the ones that are effective are where they need to be so that the people in that community can move ahead and be on the same playing field.

“And then you will see the result of achievement, you’ll see the results when the kids grow up and they’re able to learn and matriculate, be successful, graduate, and then come back

and pour more into the community.” He continues, “And that cycle we’ll see this community continue to progress where it may not have had the opportunity in the past because nobody wants to address equity and how race plays into that” (McCotter, 2018).

When asked about the battle over public education at the state legislature for the last five years, he immediately pointed to resources. “Yeah, we do feel it. We feel it in different ways. I think sometimes you realize that the resources that you have—or that you’ve had—are cut short in different avenues, whether it’s special programming or the number of teachers that you have so that your class sizes can stay manageable.” Often times the very resources and programming that underserved communities deserve are cut, pushing them further into positions of inequity.

Principal McCotter admits that his work with the district’s middle school discipline workgroup has been a valuable tool in his leadership development. “We have an equity affairs office that I really value and appreciate their efforts. We’ve been provided an opportunity to go through training on equity and on having courageous conversations, first acknowledging ourselves, reflecting.” He acknowledges how they’ve been given tools on finding ways to converse with others about equity, whether it’s their colleagues or their parents or staff or students, just being courageous in those conversations. “So we have had trainings on that and we’ve had district initiatives that were focused on equity and cultural responsiveness in the class is the framework now that is in place. And I think that’s something that’s continuing to hopefully progress forward so that we’re all cognizant of what equity means to our classrooms” (McCotter, 2018).

Although Principal McCotter and his leadership staff work to push forward progressive ideas of racial equity, he concedes that he still receives push back from some staff members. He says that in the equity work in his school, “you’ll have some that still struggle with

acknowledging the need or acknowledging bias or being biased. Some of that is because of just there's a need to continue to educate on what it really means to be biased. We all possess some type of bias and the first step is acknowledging that." As a means of addressing this discord they speak about other biases in everyday life outside of race such as gender, weight, sexual orientation, or even clothes. He states that they address biases, "any is a bias that we all could potentially possess, so that's the first step is acknowledging that it does exist and they are there and that's before we even get to race."

He maintains that jumping into the issue of racial bias helps if everyone is educated on the existence of bias period, and that will allow for folks to see themselves in instances of racial bias. Instances such as "treating a student in a certain way based off something [they] may see or perceive, or if the chances that may give [them]—lend itself to be determined by what [they] see or perceive, all those things can be factors that are result of racial bias so that's where I want us to be able to gradually get to."

Although it's a sensitive topic, one that's very uncomfortable and takes courage to even have, he believes that with staff "once you start talking about kids who struggle, or kids who even themselves feel outcast, that they don't belong, then it hits home. You know, and that's when you're like okay, 'this is my job, this is my task. I'm supposed to make kids feel belonged and it's not happening so how do we fix it?'"

He admits that even as an administrator with personal experiences of racial bias and extensive training, he finds it critical to address student discipline issues with the assistance of his staff to avoid his own personal biases. "I feel like I don't wanna go through any decision-making or anything that I do in my line of work without having some type of team—and using a team. So I collaborate in my discussion about discipline." Whether it be an administrator,

counselor, or teacher he aims to learn more about what's going on with that student in particular. He utilizes these perspectives in making decisions, because having a better perspective giving him, "more of an understanding of where this child may be coming from before making a decision."

WCPSS Office of Equity Affairs - Trice

WCPSS' Office of Equity Affairs looks for the grossest inequities that they have in any space. Dr. Rodney Trice's office is in charge of designing what their response as an institution will be to those inequities—and it's very targeted. "So if you look in terms of discipline, you know about the outcomes particularly around males, males of color, and not only that but males of color who happen to have a special education identification." He continues, "that's probably where we see some of the grossest inequities around discipline. So the programming that I designed or help design is really focused on that area and there are a number of strategies that we put in place to do that work" (Trice, 2018).

They instituted what's called the middle school discipline workgroup. "Basically it's a small core group of principals, perhaps their assistant principal and counselor and leaders from my office that come together once a month to: one, look at real time data, what's happening to Black and Latino males in real time, and really problem solve around any challenges that schools may have in eliminating inequities that they're experiencing." He doesn't necessarily dictate which strategies schools use to interrupt gaps, because he believes that they're best to be able to do that.

"For instance, last year we saw a school that was beginning to move up in the number of suspensions and expulsions, so the principal instituted some protocols around whenever they want to suspend a student, the principal and Assistant Principals have to meet together to

determine if that's the best solution for that particular kid." He states that previously this wasn't the protocol for handling discipline issues. He echoes Principal McCotter's sentiments from above as he continues, "by bringing the administration together to really take a direct look at each individual kid—not only did that create a space where there could be better problem solving, but I think leaders could get a better context for what specific kids were going through or what might be impacting behaviors."

Another strategy is around culturally responsive instruction. "In some of our schools we have very entrenched staff. Sometimes, or most often they don't look like the students that they're teaching. So it was less about how do we cut suspensions as opposed to how to we keep kids in classrooms." He continues, "I mean—so when you flip the question about how do you reduce suspensions to how do we keep kids in classrooms, teachers are better able to come up with strategies." He believes that part of keeping kids in class revolves around culture and connecting with students by understanding them more on a cultural level. Therefore, the district created an opportunity and space for school leaders with the Equity Affairs office's support to come together and problem solve inequity challenges. Additionally, they go to a bunch of different equity diversity learning workshops and conferences and so that's kind of what the workgroup is grounded in.

"There's a particular kind of equity work that I like, that I enjoy—one—that I'm passionate for, but also that I think is needed, and that's around the total disruption of systemic oppression, where ever we find it in our system." He states that bringing his institution into believing that that's the kind of equity work that they needed to be engaged in was difficult. "So when you think about 'See, Understand, and Interrupt' inequity, which is the cycle we tend to

follow, it's incredibly challenging because people don't usually like to air dirty laundry, or put the blame somewhere else" (Trice, 2018).

Resistance Work. Dr. Trice fully understands that he is a part of a system, "so it's important for any equity leader whether you're in my position within a system or pushing from the outside, to really understand that this work is inherently a resistance work. So it's a resistance to systems. So you look at different structures with a healthy bit of skepticism." And so, that's one way that he tends to navigate, "where I get the most resistance and that tells me, well there's probably some digging that needs to go on over there." In order to address resistance Dr. Trice acknowledges that he utilizes partnerships with communities from the ground up, "it's important for me to build strategic alliances where you find that resistance. And sometimes that's not at the leader level, that's on people that are at the ground level."

"My job is to find out where people are ready to work and support that work anyway we can ... [W]e're constantly looking for places where we can build strategic alliances ... [W]hen we institute a structure or some type of model or program to interrupt an inequity, it has positive outcomes that then kind of build like this grassroots desire to wanna be involved."

Dr. Trice recognizes that sometimes it's just about letting different structures know that they can open their eyes to inequity. There's something that can be done, we might have some ideas, we will help you scour the earth for ideas, but a lot of times people in these different spaces they just don't know what solutions are out there." He indicates the necessity of staying informed on issues of inequity, "if you're not studying it constantly, if you're not reading—and even though I'm in education I'm always reading about law enforcement, and courts, and healthcare, and all kinds of stuff." He continues by addressing those charged with interrupting

inequity, “like if they don’t really have a fundamental understanding of the inequity and then they don’t even focus on solutions, the status quo just kind of lives on” (Trice, 2018).

Creativity and Navigating Policy. Dr. Trice brings creativity to the issue, harkening back to the role of Black churches, the Black Panthers, SNCC, and similar civil rights organizations where the focus was to collectively solve inequity challenges. He points out that we can do the same thing in schools. In particular, “so I was advising a principal and I said you have all of these Black men that you say are causing problems in schools, let’s bring them together. Going back to listening to their stories, so what’s happening, what’s similar about their experiences that are causing them to be perceived as acting out. Some of them were definitely acting out, but what’s causing it?” He continues, “again, digging deeper into that 2nd and 3rd layer. Well it turns out that—and this was a middle school—none of these young men had a voice in the school, they weren’t participating in any extracurricular activities, they weren’t successful in many of their classrooms, they didn’t find or have an adult that they could attach to. So we began to put structures in place where they got some of that.”

They created a student equity team where the students’ role was to look at the school and critique its structures and practices and policies in terms of how it impacted them as Black male students. As a result, “students came to school more, grades began to go up, they had leadership roles in the groups that we structured, a couple of mentors pushed in on a one-on-one basis were very good with these students but now they were in a collective.” Now each student was a part of the collective which benefited the group as a whole. As a foundation they put in the seven principles of Kwanzaa, which is around the collective and “they began to kind of meet around that in conjunction with their mentors and became accountable to each other. Discipline issues went away.”

“So I think it’s a creativity thing that people have to bring to the space that—you know kind of going back to the Black Panthers when they started feeding children in Oakland. Because they weren’t getting the same type of public assistance that poor white children were getting so they took it upon themselves to do just that. I mean that’s just one of the stories that they have.” He continues, “So I think it’s always been a part of who we are in terms of looking at policy, whether it’s laws or whatever and thinking about how can we still do what’s right for our children” (Trice, 2018).

This is a part of why Dr. Trice looks to address things as a collective and is one reason for the Community Equity Leadership Team (CELT). “We can feed information to them, they can then turn and put pressure on the district to respond if I can’t make it happen internally, so we have to do the outside piece.” Members of CELT pay taxes too, so they should be able to get all of the benefits that come with being associated with Wake County schools. No one should have to pay taxes and have their kids fail and be beat down by the system. That would just be a recipe for disaster all around.

Policies with Racist Past. Dr. Trice pointed out that there are current policies that have a direct history past structures of oppression, such as school districts providing vouchers to avoid integration. He speaks on the importance for communities to be aware of that connection to the past. When I asked him about modern policies with direct histories in the desegregation era he laughed, “I think the only way that I can answer that is—I’ll have to take off my professional hat and put on my personal hat—um, YEAH. [Laughs].” He mentions that many of the parents that he speaks with don’t have that connection to past structures as the impetus for what their child is experiencing in class every single day. He goes on to say, “as a father of two young Black females, beautiful children that are smart, I have to let them know all the time that your

smartness, your beauty will not protect you from systems and structures that have been in place for a long time.”

As he put back on his “professional hat” again, he pointed out the importance of explicitly teaching parents and students in communities that have been marginalized about the history of oppression. “It’s the Black community and—understand the diversity in that—and Latino communities—understand the diversity in that. That need to understand the history.” He refers back to slavery and Jim Crow. During Jim Crow Black folk couldn’t send their children fully resourced white schools, so not only did Black folk have to build their own schools in their own communities, but they had to pay taxes on those white schools that their children couldn’t take advantage of. So, in this regard they were double taxed with a “black tax” (Anderson, 1988).

“And so, you see the same thing around vouchers. You see the same thing—although they say charter schools are public schools—so you’re paying taxes to go to Wake County schools, but we have a legislature that wants to take your tax dollars and make them available for private schools and private bus transportation and all these things—it’s a double tax in many ways. And so, we’ve been dealing with these things for years” (Trice, 2018).

He states, “parents don’t have time to wait,” as their children need to learn now and he questions, “if we’re not gettin it done, then as a community what needs to be our response? Do we need to build our own schools like we used to and just accept the double tax? Do we buy into the voucher movement, and private school and the charter school movement? Which are not as diverse as public schools.” He poses it as a, “quandary for communities of color because if I buy into the private—you’re not gonna see—and then you probably gonna experience a less favorable environment for a child. And the way charter schools look now, the same thing.”

He maintains that “you have to sacrifice something” when it comes to the education of Black and Brown children when considering the history of these systems. “You’re gonna sacrifice here, or you’re gonna sacrifice over there. So we make these tradeoffs as communities all the time but kind of going back to your question, is it important that they understand the history? Yeah, so that they can make an informed choice in terms of what they wanna do.”

Dr. Trice again highlights the essential nature of collectivity, when he mentions how when Black folk think about pre-*Brown* they recognize that we were a part of a collective. There is always a certain nostalgia when you talk to the elders that experienced Wake County pre-*Brown*, and many of them say “when we had our institutions we were able to do X, Y, Z. Look at those leaders who came out of that.”

But then when we examine the post-Brown history we had what Dr. Trice terms “the total destruction of Black middle-class profession in terms of teaching and administration. When we were pushing students of color into what many consider hostile environments, then you start redlining communities and pulling out business and economic infrastructure from different areas in the community.” He continues, “and then you start to build schools in these areas and that’s how you get racially identifiable schools that are filled with families who have very little economic resources, and then we wonder why we get what we get.”

He believes that educators also need to grapple with how our current society is grounded in this history, “Yeah, educators need to understand that whole process. And then when I don’t get my education, I can’t get a job. If I can’t get a job, I gotta make a living somehow. And if I do what they say, dirt on this end, and then I get caught and I’m in jail and then I have kids, it’s a whole cycle. Yeah they need to understand that.” He continues, “And when they do, I think they

will—myself included—understand the seriousness of addressing inequities, particularly from a systems perspective in schools.”

There was a school that they were opening with the YMCA in Southeast Raleigh. He spoke with the planning committee around instituting a social justice curriculum. He said that that’s an example of educators understanding the importance of history. “Why would we even need a social justice curriculum? Because kids need to be able to see a connection to history, what their role is in interrupting that history, but adults creating a time and a space and an opportunity for kids and families to do just that.” He continues, “Like if I’m just coming to school and we’re talking about red birds and blue birds and we’re talking about who won what war without any deeper context, that does very little for motivating—particularly student groups that have been marginalized” (Trice, 2018).

Disconnect Between Policy and Data. “I don’t think data has ever gotten in the way of leaders making immoral choices. I don’t care what data you look at. And in many ways it speaks to the criminalization of students of color and families of color.” Dr. Trice continues, “you’re never gonna be able to get police out of schools unless there’s some social waves that is multicultural that suggests that we wanna do something else.”

There are urban school districts that have replaced their SROs with counselors and social workers, and their discipline issues reduce dramatically. Dr. Trice is aware of the research and literature that suggests the same thing, but he says, “But what do we hear? ‘more guns in schools, we need to make schools harder which means more SROs in schools.’” He believes that’s because the safety of communities of color is a different safety than institutions or society in-general want in place. “I mean it’s that whole racist structure. And so, we—and I say we

communities of color—have to make sacrifices in different areas to be able to do the smallest of things.”

The differences in how institutions and communities of color view safety speaks to how society sees the value of a life. Dr. Trice claims that that’s what our students are experiencing in schools every day. “It kind of goes back to the beginning, is it important for students and families to know the history of this, the trajectory? Absolutely because it’s life and death, in your school—particularly around discipline issues.”

“But I think it also creates an opportunity for us to go back to creativity—or create these creative spaces.” Dr. Trice has spoken with members of the Community Equity Leadership Team about how if they’re gonna have law enforcement in schools can they have community peace officers in schools that work to resolve challenges before law enforcement get in, as a community presence in a school. They speak about this with the hopes that if they can pilot it at a number of schools, and they can demonstrate the need for more peace officers as opposed to police officers. This process in their minds goes to, how do we remove all SROs from schools.

However, after speaking with multiple members of CELT they understand the removal of all SROs as something that is very unlikely to happen, regardless of what any data or equity measure suggests. This poses very conundrum that the equity office faces with its daily task of addressing oppression, will the system willingly allow others to dismantle inequitable power structures that have been in place for decades? Dr. Trice’s efforts suggest that this education justice work must done creatively to avoid prejudicial backlash, much like the work of his educational predecessor Dr. Charlotte Hawkins Brown.

Conclusion

While the last chapter revealed how institutional power impacts marginalized communities, this chapter discloses how educational justice advocates usurp said power by asserting a power of their own. Jen, Principal McCotter, and Dr. Trice utilize the power of collectivity as a means to interrupt inequity in education systems. They show the power of coming together for the benefit of all much like the long civil rights movement and the Black Panthers. They utilize history as a tool to implement culturally responsive practices in education justice. Principal McCotter and Dr. Trice in particular demonstrate more equitable ways to address school discipline, more equitable than described above with Principal King and LW.

Although it can be easy to focus on structural and institutional powers that work to oppress people, it's critical to also focus on people power—both individual and community—that works to liberate. Their medium of expression may not be music, but much like hip-hop these education justice advocates draw heavily from the daily experiences of marginalized communities in their advocacy. As more and more equity programs and offices continue to open, it's important to ensure that they are afforded the opportunity to hold real power to enact sustainable positive change for all, especially those at the margins. The history of minimal gains followed by racist backlash, warns us against allowing such backlash to take place now or in the future.

CHAPTER 8: CONCLUSION & RECOMMENDATIONS

How do present-day anti-racist struggles in public education, such as equity in school discipline, fit into the larger historical and political landscape for public education for Black folk in the State of North Carolina?

Dr. Trice leads the Office of Equity Affairs within WCPSS, and regularly consults directly with community organizers in the Community Equity Leadership Team (CELT). Aside from an occasional Black assistant principal within an individual school, Dr. Trice's position is unlike anything school systems had during desegregation. Not only is he a Black man serving as a district assistant superintendent, but he is specifically in position to address equity. More importantly, he has the power and ability to make an impact beyond individual school buildings and has worked to influence the equity landscape for an entire school district.

When we look back to the desegregation era leading up all the way to the 1990s, concentrated efforts of advocacy for Black students almost exclusively took place from the outside of officially sanctioned institutions. Dr. Trice recognizes that for advocates now, with positions like his, there is more opportunity to attempt to make change from within. He has had the opportunity to work with individual parents like Mary as well as community organizations with wide ranging beliefs both politically and socially, ranging from the more conservative side of the spectrum to the more radical.

For instance, some advocates believe that SROs, police, and prisons should all be abolished in order to establish better Black futures and a better future for our country as a whole. While others believe that continually reforming the current systems in place slowly over time

will provide the needed change while maintaining safe communities, by doing things such as more SRO training. Dr. Trice is knowledgeable of the history of social movements, so he advises community organizers how to push against discrimination from the outside while he finds ways to push from within. As the more radical-leaning advocates may find that we are a long way from abolition, they build relationships with Dr. Trice and like-minded leaders that are not immediately repelled by such aggressive equity measures.

However, a question left unanswered is whether advocates for Black youth on various issues such as policing and schools are pushing against one another. In terms of internal friction, the abolition versus reform debate resembles the classic desegregate versus remain in our Black-only schools debate. Interestingly the immediate safety and social emotional health of Black youth are at the heart of the discussion.

One side demands immediate and drastic changes that will depart from the well-established oppressive status quos that have not served our communities well in the past or the present, akin to Nina Simone. The other side seeks to find ways to appeal to systems and work within their bureaucratic parameters to address our needs, much like Thurgood Marshall. It is difficult to know whether this combination of aggressive pushes along with more subtle movements is more beneficial than harmful. But one thing is certain and that is that the march towards justice must continue. This speaks to the complexities of advocacy for Black youth and the Black community as a whole because even more now than sixty years ago, Black people are not a monolith and our communities and advocacy should not be viewed as such.

Some Black youth live in communities where police interaction is constant, as their neighborhoods are overpoliced and their every movement is under surveillance. Other Black

youth live in neighborhoods where policing looks completely different. This can be a critical component to how parents and community members view advocacy when it comes to school safety. There are many that view Black youth as worthy of protection and others, covertly or overtly, view Black youth as worthy of surveillance and criminalization to keep various spaces safe. Even when considering school discipline outside of law enforcement, some believe in harsh discipline practices where dress code violations and profane language must be addressed punitively, and others go as far in the opposite direction as believing that drug usage should be decriminalized amongst all youth.

Generally, modern-day Black education advocates within the state that take up professions such as prosecutors, judges, legislators, administrative professionals can learn from the trailblazers such as Former Rep. Michaux, Former Justice Timmons-Goodson, and Professor Joyner. But they can also learn from grassroots leaders like Ella Baker, Fannie Lou Hamer, Angela Davis, and even Nina Simone who sought to disrupt the status quo from outside of institutions. In doing so, modern-day Black education advocates can learn how to push and pull from both within and without institutions, by building coalitions with others in varying positions both on the ground and in major leadership roles, as Dr. Trice notes.

How has the history of the desegregation era’s educational, voting, and political disenfranchisement worked in unison to continue the enduring legacy of racial inequity in North Carolina, and how can that history better inform school pushout advocacy?

The Jim Crow Era was marked not just by racially separated dining rooms, water fountains, movie theaters, and schools but it was comprised of disenfranchisement educationally, politically, and in voting simultaneously. As former Rep. Michaux suggests, they wanted to keep

many of us designated as 3/5ths a person. Leaving Black folk disempowered by limiting the vote, while they legally kept us out of what they considered to be their superior educational spaces. The historical connection of racial inequality through both voting and education has proven to linger into the present. Most notably, the core of this example of racial inequity comes from refusing to recognize or acknowledge racial inequality directly, if at all.

Policy during the desegregation era often avoided making institutions and individuals responsible for combating actual racist practices, for instance how lawmakers would avoid racial integration at all-white universities by establishing graduate schools for Black students at HBCUs. Obviously during this time there was no Black political representation at the legislative level, however there were Black HBCU presidents, that had differing viewpoints and interests on the race question for varying political and social reasons. Like how NCCU's James E. Shepard that worked against the integration of UNC's Pharmacy program in the first education desegregation case in 1933 *Hocutt v. Wilson* by withholding the Black student's transcripts disallowing him from enrolling in. Some within the Black community viewed this as treacherous to the cause for the advancement of Black education and Black folk in general.

This resembles how now—just like then—lawmakers and universities refuse to directly address racism when they face overtly racist incidents such as the debate over whether there should be confederate monuments and buildings named after prominent slave owners on university campuses. In modern times, Black HBCU presidents are likely all-in favor of a basic principle such as racial integration and usually stand united on various issues of racial discrimination, yet still one leader's previous vote while on the UNC Board of Trustees concerning confederate monuments did not align with many Black folk because of what is

perceived to be the politics surrounding his eventual hiring as president at a state's public HBCU within the UNC system. However, there are many that fail to acknowledge the fact that it is more than just politics, it is racially charged politics.

We can learn from former Rep. Michaux, former Justice Timmons-Goodson, and Professor Joyner's educational and advocacy experiences as youth and young advocates as they provide us with valuable information about the history of discrimination, but it's important to note that they have also given us a roadmap. Particularly for Black legal professionals that are deeply invested in civil rights and education justice of Black youth. We must connect with community-building and grassroots organizations to provide political education, policy information, political strategy, as well as provide them with support.

More often than not the professional spaces that Black legal professionals work within are not filled with like-minded individuals that support unconditional freedom and vibrant futures of Black youth. As a collective, we must recruit more Black folk into doing the work, and join with all other folks that are already willing, able, and ready to do work. We cannot forget the youth and we have to remain connected with strong teacher advocates like Mrs. Parker so that her professors can see that it is their duty to grow up to not only follow their passion, but to also always serve their communities in ways that will disrupt oppressive and racist regimes.

This will help us to continue to take steps towards educating and preparing the masses for participating in education and the political process as a whole. At the very least, it will help us fight against allowing others to completely make a mockery of the political process. Relating back to the concept of those in power wanting to limit the vote, and limit education as a dual process; we see how former Rep. Michaux and Professor Joyner's voting rights advocacy had to

go hand-in-hand with the education of communities of their rights and policies constructed to limit their rights. However, Black legal professionals and academics have to avoid entering the community with attitudes that we are saviors and the new-age talented-tenth, deserving of respect and reverence above those without our levels of education and expertise. We have to become one with our communities and move forward with selfless advocacy and avoid cooperating with divisive oppositional tactics—like that of COINTELPRO—that are sure to attempt to infiltrate any successful coalition of resisters.

When policymakers are specifically developing exclusionary school discipline policies and policies including law enforcement in schools, they must recognize that it is an objectively racial, gendered, abled, and classed issue. They can no longer hide behind the guise of “school safety” or colorblindness when extensive research has continued to point out for two decades that exclusionary school discipline is in fact an intersectional issue. Therefore, it should be discussed and engaged with as such. Pretending as if school discipline is a colorblind issue that can be legislated without acknowledgement of the intersectional ramifications precisely follows the roadmap of segregationist and desegregationist alike, in that the root cause of the issues are not directly addressed. Then, not only are individuals not responsible for combating racism but neither are the institutions that are charged with fostering the learning and growth of our youth.

Legal advocates and policymakers can buck the historical colorblind trend by directly addressing issues within the system that disproportionately impact Black youth and students with disabilities. When the most vulnerable of our youth are served, all youth will be served. One issue of importance is one that Jen Story alluded to, school suspensions. Districts across the state have lowered their short-term and long-term suspension numbers drastically over the last ten

years. However, the dishonest reporting tactics and alternative reassigning practices they use in order to lower the numbers is problematic at best. Districts across the state must commit to keeping students within school buildings at all costs—aside from major violent and dangerous offenses. This starts with removing SROs and completely ending suspension practices for minor behaviors.

Legal advocates should also address the due process rights of students in suspensions. For students with disabilities, there should be no referrals to the juvenile court system if a positive Manifestation Determination Review (MDR). MDRs bring together a student's IEP team to decide if the misbehavior leading to the suspension was a direct manifestation of their disability. Aside from the exception for drugs and certain weapons, if it is found to be a manifestation of their disability the student must return to the school. Further, policy must be changed so that if a student gets referred to juvenile court, that student must be afforded appeal rights—the right to appeal to the school board—at the school level. Currently, appeal rights are allowed only when it is a long-term suspension.

For example, this allows for schools to short-term suspend students for felony charges, which does not provide students with any due process rights. Further complicating this type of situation, the misbehaviors could in all reality be a manifestation of the student's disability. A lot of referrals to juvenile court have only short-term suspensions attached, so schools are able to avoid triggering those students' due process rights. As noted above in the WCPSS complaint, involvement in the juvenile and adult criminal justice systems can have long-lasting, detrimental impacts on youths' lives. Lastly, parents should have to agree to the alternative school placements that occurs with these referrals. Similar to the issue of due process rights regarding

short-term versus long-term suspensions, superintendents can also “administratively reassign” students to alternative learning programs in order to avoid appeal rights. Any policy loophole that removes students from schools unnecessarily and strips them of their due process rights has no place within any school district.

While a prospective policy changes such as this may seem minor, it can have an enormous impact on the daily lives of hundreds if not thousands of students across the state. Parents with the resources to hire private lawyers and time to advocate for their children at schools are often better positioned to deal with the challenges that come along with being entangled with the complex web that is our current school discipline and juvenile justice infrastructure. But so often, Black families, Latinx families, low-income families, families with students with disabilities, and families in rural locations have limited resources and advocacy groups for support. That is why policy must take the position serving as an internal layer of advocacy for students that may have had discipline issues within school buildings.

Policy must take into consideration what are we teaching youth about their places in society, and the places of those around them. We must ask the questions, are we creating policy to strengthen and maintain the status quo, or are we creating policy to depart from the types of harms that have plagued us for decades and centuries on in? In doing so, when it comes to racist institutions with stark racial disparities backed up with decades of anecdotal, qualitative, and quantitative evidence we have to name a racist thing a racist thing. Pervasive anti-Blackness causes some of us to use the term BIPOC (Black, Indigenous and people of color) instead of Black. Some even continue to say “Black and Brown,” when they should really just say Black. In instances where Black youth are by far the most negatively impacted by punitive discipline

practices name that. Some Latinx, South Asian, and Pacific Islander youth may be considered Brown, but not only are their experiences completely different but according to data, similar disparities just don't exist.

While suspension numbers are decreasing across the board, the racial disparities impacting Black youth persist. We need solutions that address the harms that systems have specifically created for Black students but in schools and within communities. No, Black students are not a monolith, and each student has a different story and family history, but we have to finally do right by Black students in North Carolina by directly addressing these historical racial ills.

How do advocates navigate around and through structural resistance to equity in order to address pushout?

A perfect example of how advocates navigate around and through structural resistance to equity takes place in how CELT, is supposedly an organization with a direct line of advocacy on equity issues to the WCPSS district and school board. CELT includes community leaders, faith-based organizations, and civic groups to advise the school system on equity-related issues, concerns, and initiatives. Meetings are composed of very small community organizing grassroots organizations, concerned individuals, and graduate school researchers. I was able to see just how pervasive structural resistance is to progressive change, through attending CELT meetings and following the monthly ongoings of the parent organization and those it is comprised of. Amongst other equity issues, CELT has worked to analyze WCPSS' Memorandum of Understanding (MOU) with SROs. Although CELT was explicitly created to address equity issues in the system, WCPSS has continually ignored the policy suggestions for the MOU.

At this point it has been years that CELT members have continually held meetings and sought to meet with district leadership and law enforcement to review their proposed revisions for the MOU. All of this only to find that the district has pushed out an MOU without the considerations of CELT members. This places CELT, in a position of simply being cover for the school system. The creation of the Office of Equity Affairs was a part of WCPSS' resolution agreement with the Department of Education's Office of Civil Rights, along the establishment of CELT. According to the agreement, CELT was to be composed of system representatives and community advocates to problem-solve equity-based challenges, along with other forms of community outreach.

As we see here, when it comes to the more divisive, and arguably more critical, issues of equity—like SROs—WCPSS does not take CELT's perspective into consideration. Even more critical to acknowledge, as an issue that highly impact Black students more so than others, WCPSS caters to the racially tone deaf—if not explicitly racist—calls for “school safety” from parents. It does this by keeping SROs in schools one police brutality event after another, but it refuses to seek solutions for real safety for Black youth and students with disabilities. Notwithstanding the social and political space that the United States stands with regular extrajudicial killings of unarmed Black folk by police, the research on SROs provides no clear indication of positive influence on school safety. Except, we do know that SROs do have negative impacts on Black youth and students with disabilities. All of this making advocacy for Black youth through a bureaucratically structured organization like CELT challenging.

This is why individual organizations invested in building better futures for Black youth continue to primarily engage in their work outside of CELT by working with sister organizations

for youth, parent, and community engagement. There are a number of organizing tactics they use, from in-person informational events for parents and community members, to marches on the capitol, letter writing and speeches to legislators and school board members, to online webinars and coordinated social media events and engagement. Often times one organization as small as three staff members can be linked to as many as ten to fifteen other grassroots and policy organizations through various organizing collectives, coalitions, and grant programs. Sometimes the collectives gather specifically around topics related to race and educational justice for youth, while other times they may gather for educational issues more broadly. A major reason these organizations participate in these various collectives inside and outside of their primary mission is to leverage the power of their organizing footprint.

Unlike the Office of Civil Rights complaint where advocacy organizations' collective work may have taken weeks or months before submitting the complaint, community collaboration can take place unexpectedly and with a turnaround as quickly as one week. When legislation or policy is introduced within a policymaking body that will have a substantial negative impact on youth in the community or within schools, advocates work at a breakneck pace to organize the community—and sometimes state—on the issue.

First, they have to fully educate themselves on the issue. Then they have to consider a wide range of things such as: their messaging when educating others, make a consideration for which type of audience they are writing or speaking for, their prospective social media promotion and creation of social media toolkits, the production of physical flyers and leaflets, the most effective medium of communication, the event venue whether online or in-person, and inclusive messaging and programming with translators and accessibility.

While one or two people or organizations may do the heavy lifting for this one issue, quickly fifty to one-hundred advocates and organizations can be involved in signing letters and attending events. When prominent organizations and influential universities and individuals join this advocacy the policy or legislation can come to a screeching halt if policymakers feel that their constituents will also be alarmed by the policy. So now coming full circle, this is how a small three-member organization that sits on CELT can leverage their community organizing power to stretch beyond enacting change at the school district level, to impact school policy at the state level.

It's important to note that this web of organizations is often funded by a similar assortment of funders, with the differing funders dependant upon the nature and focus of the organization's particular mission. The funding is used to hire staff and interns, promote and facilitate events, amongst other things. Some organizations are community-building grassroots-based, while others may be policy-based potentially having more funding constraints with how, where, and in what manner they advocate.

Whether community-based or policy-based, these organizations often work closely with individuals from legal advocacy organizations like Legal Aid of North Carolina and Disability Rights North Carolina, local law schools' Juvenile Justice Law clinics, and offices tied to the state like the North Carolina Office of the Juvenile Defender. The legal aspect of advocacy is critical because it can be as simple as individual cases for individual clients, or one case can have a systemic impact on an entire state or school district, such as when a special education systemic case is brought before a tribunal. Lawyers can also be in better position to advocate on a policy and legislation matters at the state level. The deep legal and policy knowledge that lawyers are

often equipped with bodes well for small community-based organizing groups that do not have the bandwidth to have full-time staff dedicated to reviewing complex policy with legalese.

Therefore, connectivity amongst various levels of advocates with various levels and areas of expertise along with funding plays a critical role in supporting education justice organizing and programming to resist structural inequity. One role cannot be considered more important or more useful than the other. Where one type of advocacy organization may have a high degree of expertise in an area such as the policy, law, or budgeting, another organization may have both an expertise in community organizing and have a large network of parents and community members to mobilize on a moment's notice. Many hands are engaged in the good work, but we have to continue to work together and forge unions that radically address the inequities that the most vulnerable of our youth face in educational settings.

Recommendations

In this section, I outline a number of recommendations for WCPSS and other districts similarly situated. This list of recommendations is by no means exhaustive, nor are these recommendations novel but they have been compiled to address the issues most pressing within this study. Implications, limitations, and future opportunities for research will follow the recommendations.

As Dr. Trice eluded to above, equity work must be rooted in the total disruption of oppressive systems, but in order for this to take place we must first have knowledge of those oppressive histories and what communities have done to struggle through and overcome inequity. The district must continue to advance cultural competency trainings for staff with a particular focus on histories of discrimination and oppression, and how we must work

individually and collectively to end pushout. First, equity administrators and programs must sincerely be engaged in disruptive work that attacks oppressive status quos. Secondly, they must be granted the power to make policy, establish new liberatory structures, and abolish antiquated structures of racial domination.

As of the writing of this study, CELT and other education justice advocates of the WCPSS community are negotiating terms of the MOU between SROs and WCPSS. SROs should be removed from schools all together. However, if SROs continue to serve schools for the foreseeable future, their contact with students should be substantially limited. The issues outlined in the 2014 DOJ complaint should be addressed in that there should be no use of chokeholds, tasers, body slamming, or any other physically violent restraint in the absence of a clear and present imminent danger to students. Constitutional principles regarding searches and seizures, interrogations and questioning, and other policing tactics of minors must be adhered to with SROs and law enforcement subject to removal and sanctions for disregarding students' constitutional rights. Further, SROs and law enforcement working amongst students must be aware of IEPs of students with disabilities that have behavioral issues that may manifest in ways that appear to be misbehavior.

The district must work closely with community education justice organizations to establish a sustainable Peace builder Pilot Program that will serve to replace SROs function in schools and then formulate plan to phase out SROs. Peace builder programs serve the needs of addressing student behavior without the punitive arm of the criminal and juvenile justice systems being present within the schools. Members of community organizations like Education Justice Alliance in Wake County have been struggling for WCPSS to adopt a Peace Builder program for decades. With the overall commitment to lowering all suspensions, the timing is perfect to

establish this program in hopes that SROs can be totally replaced by the ending of the upcoming MOU.

In addition to Peace Builders, the district must increase support staff such as counselors and school psychologist. These support staff must work in conjunction with the Peace Building Program, creating a wholistic approach to student mental health and well-being. When students face, and also when they see, these traumatic suspensions from schools they are deeply harmed on an emotional and psychological level. That's not to mention various issues that the students already bring with them to schools that may have an impact on their behaviors while in schools.

WCPSS must substantially simplify the grievance process for parents and advocates to file grievances against school administrators, educators, and SROs. When parents like Camille seek to file grievances against administrators or against SROs for violating the rights of their students, they find that the process is complicated even for their attorneys to navigate. This will provide the type of accountability that parents and interested community members seek from schools, the district, and law enforcement. The current system operates to shield adult wrongdoers from being held accountable for actions that effectively ruin student's life chances, while at the same time it punitively addresses the slightest misbehaviors by students. Adults charged with serving students should be held to a higher standard. The double standard is apparent and appalling, and it must be addressed.

The state must mandate the expansion and continuance of teen court and School Justice Partnership (SJP) statewide. SJP a group of community stakeholders that work to address school pushout by reducing the number of suspensions, expulsions, and referrals to the justice system. Currently, some counties are more enthusiastic about participating in the program than others.

However, each county's teen court and SJP must be engaged in the work disrupt pushout and approach the work with an equity lens with particular attention to racial equity and justice.

We must fight racialized pushout of physical spaces with the same degree of effort as we fight student's pushout of schools. Gentrifying Niggatown demonstrates that from an equity standpoint, those in less-resourced communities should not bear the brunt of proposed equity measures. Dating even further back, Black communities across the South bore the brunt of desegregation as they lost their schools, which were more than centers for education but also critical components of cultural and social enrichment. Thus, districts must ensure that middle-class whites and business elites do not curtail principled equity work by privileging their demands above those of communities that have historically suffered from structural pushout.

The district, broad community, state education administrators, and lawmakers must fight political and legislative forms of exclusion. Particularly issues involving political representation such as voting rights and gerrymandering as they have a very direct impact on legalized exclusion. The State of North Carolina must recognize that pushing Black students out of schools at disproportionate rates while simultaneously restricting the access to vote by race is reminiscent of a period of time that many of us would have hoped that we have advanced beyond. The only way to ensure that this issue is properly addressed is to make a wholistic approach to safeguard education and the franchise.

Implications

The results of this study will be beneficial for districts across the nation that have struggled with stark racial disparities pushout, particularly Southern districts with a history of Jim Crow. The study will provide school administrators and education justice advocates with the much-needed background racial context as to why racial disparities persist even as suspensions

and expulsions lower across the nation. Most importantly, it pushes forward an understanding that structural racism is the core issue that must be addressed not just lowering numbers. While students kept in school buildings, how can we ensure that we don't find new ways to push them away from obtaining the educational opportunities that they deserve?

By connecting the educational with the political, we see that pushout extends beyond the schoolhouse. The fugitivity of Black literacy and liberation has always been a core aspect of this nation. As Michaux stated above, these systems operate to try and keep us classified at three-fifths a person. Ultimately, there's a wide range of structural impediments that work to keep Black folk from succeeding in schools. But ensuring that Black folk remain free from pushout is the first step to addressing the litany of other

Limitations

One of the limitations of the study is the sample size of ten participants and one school district within the state. While the study only has ten participants, I was able to delve deep into the analysis of the data each participant produced. For the same reasons I was able to provide a narrow focus into the issues within WCPSS while providing a broader focus on North Carolina within the analysis.

Further Opportunities for Research

Due to the recent drastic reduction in the number of suspensions, there is a need for research on the remaining suspension cases. These cases are often for more severe infractions and still have racial disparities, therefore they must be researched with proper social, cultural, and historical contexts in mind. There is also a need to analyze what districts are currently doing to address the remaining suspension cases.

There is also more intersectional research is needed on Black special education students impacted by school pushout. While there is expansive public data on all students in special education, and even disaggregated at the state level, district-level disaggregated data must be distributed publicly and examined further. While the OCR complaint cited above serves as an important insight, the complaint lacks insight from the experiences of Black girls.

Further research is needed on offices like WCPSS' Office of Equity Affairs in order to determine if their approach provides meaningful and substantial change for vulnerable populations of students. The current study is limited in scope as it focuses on school discipline, however the office also works to achieve equity in the classroom as well as facilitate community partnerships. These three aspects of the equity office work hand in hand to improve the educational experience of all students.

The Bigger Picture: Ways to Move Forward

Admittedly, when I first conceptualized this study, I didn't anticipate this work as following in the abolitionist tradition, particularly in the sense of police abolition. However, as time unfolded and the spring of 2020 ushered in a pandemic due to COVID-19, highlighting a host of racial disparities in society it became abundantly clear that things were indeed trending in a different way. Once the media and nation as a whole became aware of the high-profile police involved killings of Breonna Taylor and George Floyd, protests broke out across the nation and the globe for much of the summer of 2020 demanding justice for Black Lives.

After the world watched an officer kneel on George Floyd's neck for 8 minutes and 46 seconds, much of this time unconsciously, very few could argue that the police officer's actions were necessary—including fellow officers. Breonna, a 26-year old Emergency room technician, was killed in her sleep as police officers served a no-knock warrant firing several shots striking

her after her boyfriend fired off warning shots in self-defense. To make the situation worse, she struggled to breathe for up to five minutes with no assistance from the officers.

As people across the nation protested, they were often met with force from officers even when protestors were simply engaging in peaceful protest. In Asheville, North Carolina police officers destroyed the water bottles reserved for protestors at the medic tent. A host of other draconian responses to peaceful protests seemed to leave a bitter taste in a lot of people's mouths—largely regardless of political affiliation.

For reasons I can only speculate, the topic of defunding the police and police abolition as a viable option became a part of national discussions in the media and across social media. Obviously, there were detractors, but a number of school districts across the country took this opportunity to cease utilizing SROs by terminating or refusing to renew contracts with local law enforcement to patrol schools. This was only made possible by the work of activists and organizers across the nation that have been pushing for police-free schools for decades.

This demonstrates the timeliness and importance of this work. As the uncertainty of Fall 2020 schooling looms due to the COVID-19 pandemic, forcing many school districts across the country to begin the school year remotely, this is the perfect time to radically reimagine what school discipline and student support looks like without police officers in school buildings. Most importantly, it serves as a unique moment in time to assess how to educate students without pushing them out of schools.

REFERENCES

Advancement Project, (2019). We came to learn: A call to action for police-free schools.

Retrieved from <https://advancementproject.org/wp-content/uploads/WCTLweb/index.html#page=1>.

Akingbe, N. and Onanuga, P.A. (2020). 'Voicing Protest': Performing cross-cultural revolt in Gambino's 'This is America' and Falz's 'This is Nigeria', *Contemporary Music Review*.

Aleshinskaya, E. (2013). Key components of musical discourse analysis, *Research in language* 11(4).

Alexander, M. (2012). The new Jim Crow: Mass incarceration in the age of colorblindness. New York, NY: The New Press.

Allen, Q., & White-Smith, K.A. (2014). Just as bad as prisons: The challenge of dismantling the school-to-prison pipeline through teacher and community education. *Equity & Excellence in Education* 47(4), 445-460.

American Psychological Association Zero Tolerance Task Force. (2008). Are zero tolerance policies effective in the schools? An evidentiary review and recommendations. *American Psychologist*, 63, 852-862.

Anderson, J.A. (1988). *The education of Blacks in the South, 1860-1935*. Chapel Hill, NC: University of North Carolina Press.

Anderson, K.A. (2018). Policing and middle school: An evaluation of a statewide school resource officer policy. *Middle Grades Review* 2(7).

Annamma, S. (2014). Whiteness as property: Innocence and ability in teacher education. *Urban Review*, 47(2), 293-316.

- Annamma, S. (2017). Disrupting the carceral state through education journey mapping. *International Journal of Qualitative Studies in Education*, 29(9), 1210-1230.
- Bell, D. (1987). *And we are not saved: The elusive quest for racial justice*. New York, NY: Basic Books.
- Benjamin, K. (2012). Suburbanizing Jim Crow: The impact of school policy on residential segregation in Raleigh. *Journal of Urban History*, 38(2) 225-246.
- Berger, L. M. (2000). The emotional and intellectual aspects of protest music: Implications for community organizing education. *Journal of Cultural Research* 21(3): 223-240.
- Blythe, A. (2018, January 10). 'North Carolina is a test case, y'all.' Judge joins rally against changes to courts. *The News & Observer*. Retrieved from
- Bold lesson: Florida school district swaps cops for counseling. (2014, February 6). *NBC News*. Retrieved from <https://www.nbcnews.com/news/latino/bold-lesson-florida-school-district-swaps-cops-counseling-n13936>.
- Bonilla-Silva, E., & Zuberi, T. (2008). Toward a definition of white logic and white methods. In T. Zuberi & E. Bonilla-Silva (Eds.), *White logic, white methods: Racism and methodology* (3-30). Landham, MD: Rowman & Littlefield Publishers, Inc.
- Brown, B. (2006). Understanding and assessing school police officers: A conceptual and methodological comment. *Journal of Criminal Justice*, 34(6): 591-604.
- Brown, K. (2010). *Transcript of school based hearing*. Court Reporting Services: Wake County, North Carolina.
- Browne, S. (2015). *Dark matters: On the surveillance of Blackness*. Durham, NC: Duke University Press.

- Camp, J.T. (2016). *Incarcerating the crisis: Freedom struggles and the rise of the neoliberal state*. Oakland, CA: University of California Press.
- Carbado, D.W. (2011). Critical what what? *Connecticut Law Review*, 43(5), 1595-1643.
- Carby, H.V. (1987). *Reconstructing womanhood: The emergence of the Afro-American novelist*. New York, NY: Oxford UP.
- Cecelski, D. S. (1994). *Along freedom road: Hyde County, North Carolina, and the fate of Black schools in the South*. Chapel Hill: University of North Carolina Press.
- Collins, P.H. (2000). *Black feminist thought: Knowledge, consciousness, and the politics of empowerment* (2nd ed.). New York, NY: Routledge.
- Cook, D.A. & Dixson, A.D. (2013). Writing critical race theory and method: a composite counterstory on the experiences of black teachers in New Orleans post-Katrina. *International Journal of Qualitative Studies in Education*, 26(10), 1238-1258.
- Covington, H. E., & Ellis, M. A. (1999). *Terry Sanford: Politics, Progress, and Outrageous Ambitions*. Durham, NC: Duke University Press.
- Crenshaw, K. W. (1988). Race, reform, and retrenchment: Transformation and legitimation in antidiscrimination law. *Harvard Law Review*, 1331-1387.
- Crenshaw, K. (1991). Mapping the margins: Intersectionality, identity politics, and the violence against women of color. *Stanford Law Review*, 43(6), 1241-1299.
- Crenshaw, K. (2011). Twenty years of critical race theory: Looking back to move forward. *Connecticut Law Review*, 43(5), 1255-1352.
- Crenshaw, K.W., Ocen, P., & Nanda, J. (2015). *Black girls matter: Pushed out, overpoliced, and underprotected*. New York, NY: African American Policy Forum, Center for Intersectionality and Social Policy Studies.

- Curtis, M.K. (2016). Race as a tool in the struggle for political mastery: North Carolina's "redemption" revisited 1870-1905 and 2011-2013, *Law and Inequality Journal*, 33, 53-142.
- Davis, A. (2003). *Are prisons obsolete?* New York, NY: Seven Stories Press.
- District Facts. (2020). WCPSS 2019-20 District facts report by year. Retrieved June 23, 2020 at <https://www.wcpss.net/domain/100>.
- Dixson, A.D., & Rousseau, C.K. (2006). *Critical race theory in education: All God's children got a song*. New York, NY: Routledge.
- Douglas, D. (1995). *Reading, writing, and race: The desegregation of Charlotte schools*. Chapel Hill, NC: The University of North Carolina Press.
- Drescher, J. (2000). *Triumph of good will: How Terry Sanford beat a champion of segregation and reshaped the South*. Jackson, MS: University Press of Mississippi.
- Du Bois, W.E.B. (1903). *The souls of black folk*. Chicago, IL: A.C. McClurg & Co.
- Du Bois, W.E.B. (1935). *Black reconstruction: An essay toward history of the part which Black folk played in the attempt to reconstruct democracy in America, 1860-1880*. New York, NY: Harcourt Brace & Company.
- Ferguson, A. (2000). *Bad boys: Public schools in the making of black masculinity*. Ann Arbor, MI: University of Michigan Press.
- Fasching-Varner, K.J., Mitchell, R.W., Martin, L.L., & Bennett-Haron, K.P. (2014). Beyond school-to-prison pipeline and toward an educational and penal realism. *Equity & Excellence in Education*, 47(4), 410-429.
- Foucault, M. (1977). *Discipline and punish: The birth of the prison*. New York, NY: Vintage Books.

- Freire, P. (1972). *Pedagogy of the oppressed*. London: Penguin.
- Gershenvorn, J. (2018). *Louis Austin and the Carolina Times: A life in the Long Black Freedom Struggle*. Chapel Hill, NC: University of North Carolina Press.
- Gilmore, R.W. (2007). *Golden gulag: Prisons, surplus, crisis, and oppositions in globalizing California*. Berkeley, CA: University of California Press.
- Gilmore, R.W. (2008). Forgotten places and the seeds of grassroots planning. In Charles R. Hale, *Engaging Contradictions: Theory, Politics, and Methods of Activist Scholarship*, Berkeley, CA: University of California Press, 31-60.
- Gorz, A. (1967) *Strategy for labor*. Boston, MA: Beacon Press.
- Gotanda, N. (1991). A critique of “Our constitution is color-blind.” *Stanford Law Review*, 44, 1-70.
- Grant, G. (2009). *Hope and despair in the American city: Why there are no bad schools in Raleigh*. Cambridge: Harvard University Press.
- Haney Lopez, I. (1996). *White by law: The legal construction of race*. New York, NY: New York University Press.
- Haney Lopez, I. (2014) *Dog whistle politics: How coded racial appeals have reinvented racism and wrecked the middle class*. New York, NY: Oxford University Press.
- Harris, C. (1993). Whiteness as property. *Harvard Law Review*, 106, 1709-1773.
- Hartman, S. (2007). *Lose your mother: A journey along the Atlantic slave route*. New York, NY: Farrar, Straus and Giroux.
- Heitzeg, N.A. (2016) *The school-to-prison pipeline: Education, discipline, and racialized double standards*. Santa Barbara, CA: Praeger.

- Herrera, J. (2008). *Offence/Incident report*. Incident No. P08050197. Raleigh Police Department: District 22.
- History NCCU School of Law. (n.d.). Retrieved from <http://law.nccu.edu/about/history/>.
- hooks, b. (1984). *Feminist theory: From margin to center*. Boston, MA: South End Press.
- Ingraham, C. (2018, November 13). In at least three states, Republicans lost the popular vote but won the House. *The Washington Post*. Retrieved from https://www.washingtonpost.com/business/2018/11/13/least-three-states-republicans-lost-popular-vote-won-house/?utm_term=.7f18aabaadb2.
- Janken, K. R. (2015). *The Wilmington Ten: Violence, injustice, and the rise of Black politics in the 1970s*. Chapel Hill, NC: University of North Carolina Press.
- Joyner, I. (2013). Pimping Brown v. Board of Education: The destruction of African-American schools and the miseducation of African-American students. *North Carolina Central Law Review*, 35, 160-202.
- Kelly, Jessica, and Rizer, Arthur (2019). Keep calm and carry on with state criminal justice reform. *Federal Sentencing Reporter*, 32(2): 86-91.
- Klein, R. (2016). A new Missouri law could give kids serious criminal records for school fights, schools say. *Huffington Post*. Retrieved from http://www.huffingtonpost.com/entry/missouri-school-law_us_585d26b1e4b0de3a08f4f5c0?utm_hp_ref=missouri.
- Kim, C. (2012). Policing school discipline. *Brooklyn Law Review*, 77, 861-960.
- Ladson-Billings, G. (1995). Toward a theory of culturally relevant pedagogy. *American Educational Research Journal*, 32(3), 465-491.

- Ladson-Billings, G., & Tate, W.F. (1995). Toward a critical race theory of education. *Teachers College Record*, 97(1), 47-68.
- Langberg, J., & Story, J. (2013). The state of the school-to-prison pipeline in the Wake County public school system. Found at <https://wwwcache.wral.com/asset/news/education/2013/08/19/12794053/32374-stateofpipeline.pdf>.
- Lei, J.L. (2003). (Un)necessary toughness? Those “loud Black girls” and those “quiet Asian boys.” *Anthropology & Education Quarterly*, 34, 158-181.
- Leonardo, Z. (2013a). *Race frameworks: A multidimensional theory of racism and education*. New York, NY: Teacher’s College Press.
- Leonardo, Z. (2013b). The story of schooling: Critical race theory and the educational racial contract. *Discourse: Studies in the Cultural Politics of Education*, 34(4), 599-610.
- Lewis, A. (2003). *Race in the schoolyard: negotiating the color line in classrooms and communities*. Piscataway, NJ: Rutgers University Press.
- Lorde, A. (1984). *Sister outsider: Essays and speeches*. Trumansburg, NY: Crossing Press.
- Losen, D.J., & Skiba, R. (2010). *Suspended education: Urban middle schools in crisis*. Montgomery, AL: Southern Poverty Law Center.
- Losen, D.J., & Gillespie, J. (2012). *Opportunities suspended: The disparate impact of disciplinary exclusion from school*. Los Angeles, CA: Civil Rights Project, UCLA.
- Losen, D. J., & Martinez, T. E. (2013). *Out of school & off track: The overuse of suspensions in American middle and high schools*. Los Angeles, CA: The Center of Civil Rights Remedies, Civil Rights Project, UCLA.

- Losen, D.J. (2013). Discipline policies, successful schools, racial justice, and the law. *Family Court Review* 51, 388-403.
- Matsuda, M., Lawrence, C., Delgado, R., and Crenshaw, K. (eds.) (1993). *Words that wound: critical race theory, assaultive speech, and the first amendment*. Boulder, CO: Westview.
- May, V. (2007). *Anna Julia Cooper, Visionary Black Feminist: A Critical Introduction*. New York, NY: Routledge.
- McGrew, K. (2015). The dangers of pipeline thinking: How the school-to-prison pipeline metaphor squeezes out complexity. *Educational Policy: An International Journal of Policy and Practice*.
- McKittrick, K. (2006). *Demonic grounds: Black women and the cartographies of struggle*. Minneapolis, MN: University of Minnesota.
- McKittrick, K. (2011). On plantations, prisons, and a black sense of place. *Social & Cultural Geography*, 12(8), 947-963.
- Meiners, E. (2007). *Right to be hostile: Schools, prisons, and the making of public enemies*. New York, NY: Routledge.
- Meiners, E. (2009). Resisting civil death. *DePaul Journal for Social Justice* 3.
- Missouri ex rel. Gaines v. Canada, 305 U.S. 337 (1938).
- Morris, M. (2016). *Pushout: The criminalization of black girls in schools*. New York, NY: New Press.
- Muhammad, K.G. (2010). *The condemnation of blackness: Race, crime, and the making of modern urban America*. Cambridge, MA: Harvard University Press.

- Murakawa, N. (2008). The origins of the carceral crisis: Racial order as 'law and order' in postwar American politics. In Lowndes, J., Novkov, J, and Warren, D. (Eds.), *Race and American Political Development*. New York, NY: Routledge: pp. 234-256.
- Murakawa, N. (2014). *The first civil right: How liberals built prison America*. New York, NY: Oxford University Press.
- Murphy, B. (2018, November 7). Republicans won 50.3 percent of NC's votes for Congress. They took 10 of 13 seats. *The News & Observer*. Retrieved from <https://www.newsobserver.com/news/politics-government/article221282920.html>
- Murphy, B. (2018, December 3). At center of voter fraud scandal, a convicted felon and 'grassroots' campaigner. *The Charlotte Observer*. Retrieved from <https://www.charlotteobserver.com/news/politics-government/article222459875.html>
- Murphy, T. (1990). The song stuck in my head phenomenon: A melodic din in the lad. *System*, 18(1), 53-64.
- Murphy, T. (1992). The discourse of pop songs. *TESOL Quarterly*, 26(4), 770-774.
- N.C. DPI (2008). Report to the joint legislative education oversight committee: Consolidated data report, 2007-08. Found at <https://files.nc.gov/dpi/documents/consolidated-reports/2007-08/consolidated-report.pdf>.
- N.C. DPI (2019a). Discipline, ALP, and dropout annual reports. Found at <https://www.dpi.nc.gov/data-reports/dropout-and-discipline-data/discipline-alp-and-dropout-annual-reports#2018-19>.
- N.C. DPI (2019b). Report to the North Carolina General Assembly: Consolidated data report, 2018-19. Found at https://files.nc.gov/dpi/documents/consolidated-reports/2018-19_cdr-report-2018-2019-final-20200302.pdf.

- Nance, J. (2014). School surveillance and the Fourth Amendment. *Wisconsin Law Review*, 2014, 79-137.
- Nance, J. (2016). Students, police, and the school-to-prison pipeline. *Washington University Law Review*, 93, 919-976.
- Noguera, P.A. (2003). Schools, prisons, and social implications of punishment: Rethinking disciplinary practices. *Theory Into Practice* 42(4), 341-350.
- Nolan, K. (2011). *Police in the hallways: Discipline in an urban high school*. Minneapolis, MN: University of Minnesota Press.
- Pacheco, D. & Velez, V.N. (2009). Maps, mapmaking, and critical pedagogy: Exploring GIS and maps as a teaching tool for social change. *Seattle Journal for Social Justice*, 8(1), 273-302.
- Parcel, T. L., and Taylor, A. J. (2015). *The end of consensus: Diversity, neighborhoods, and the politics of public school assignments*. Chapel Hill: University of North Carolina Press.
- Park, R.E. (1915). The city: Suggestions for the investigation of human behavior in the city environment. *The American Journal of Sociology*, 20(5), 577-612.
- Peebles-Wilkins, W. (1987). Reactions of segments of the Black community to the North Carolina Pearsall Plan, 1954-1966. *Phylon*, 48(2), 112-121.
- Petteruti, A. (2011). *Education under arrest: The case against police in schools*. Washington, DC: Justice Policy Institute.
- President's Task Force on 21st Century Policing. (2015). *Final report of the President's task force on 21st century policing*. Washington, D.C.: Office of Community Oriented Policing Services.

- Richardson, J.G. and Judge, D.M. (2013). The intergroup dynamics of a metaphor: The ‘school to prison pipeline. *Journal of Educational Controversy* 7(1): 1–17.
- Rios, V. M. (2011). *Punished: Policing the lives of Black and Latino boys*. New York, NY: NYU Press.
- Robinson, C. (2000). *Black marxism: The making of the Black radical tradition*. Chapel Hill, NC: University of North Carolina Press.
- Scholz, R. W. & Tietje, O. (2002). *Embedded case study methods*. Thousand Oaks, CA: Sage Publications. doi: 10.4135/9781412984027.n1.
- Shabazz, R. (2015). *Spatializing blackness: Architectures of confinement and black masculinity in Chicago*. Urbana, IL: University of Illinois Press.
- Shaylor, C., & Chandler, C. (2011). Reform and abolition: Points of tension and connection. In P. Shah (Ed.), *Defending justice: An activist resource kit*, (pp. 241-45). Somerville, MA: Political Research Associates.
- Simson, D. (2014). Exclusion, punishment, racism and our schools: A critical race theory perspective on school discipline. *UCLA Law Review*, 61, 508-562.
- Skiba, R., Eckes, S., & Brown, K. (2010). African American disproportionality in school discipline: The divide between best evidence and legal remedy. *New York Law School Law Review*, 54, 1071-1089.
- Skiba, R., Arredondo, M.I., and Williams, N.T. (2014). More than a metaphor: The contribution of exclusionary discipline to a school-to-prison pipeline. *Equity and Excellence in Education* 47(4): 546–564.

- Smith, E. J., & Harper, S. R. (2015). *Disproportionate impact of K-12 school suspension and expulsion on Black students in southern states*. Philadelphia, PA: University of Pennsylvania, Center for the Study of Race and Equity in Education.
- Sojoyner, D. (2013). Black radicals make for bad citizens: Undoing the myth of the school to prison pipeline. *Berkeley Review of Education* 4(2), 241-263.
- Sojoyner, D. (2016). *First strike: Educational enclosures in Black Los Angeles*. Minneapolis, MN: University of Minnesota Press.
- Stovall, D. (2016). Out of Adolescence and Into Adulthood: Critical Race Theory, Retrenchment, and the Imperative of Praxis. *Urban Education*, 51(3), 274–286.
- Stuart, A. (2013). *Sugar in the blood: A family's story of slavery and empire*. New York, NY: Vintage Books.
- Utah v. STRIEFF*, No. 14-1373 (U.S. June 20, 2016).
- Wacquant, L. (2001). Deadly symbiosis when ghetto and prison meet and mesh. *Punishment & Society*, 3(1), 95-133.
- WCPSS Equity Initiatives, (2020). Equity initiatives. Found at <https://www.wcpss.net/domain/11404>.
- Weissman, M. (2014). *Prelude to prison: Student perspectives on school suspension*. Syracuse, NY: Syracuse University Press.
- Woodall, B. (1993). Palmer lessons included discipline, etiquette. *The News & Record*. Retrieved from https://www.greensboro.com/palmer-lessons-included-discipline-etiquette/article_99dd4318-264e-5b41-9be7-6ec0f0364e5b.html
- Youth Justice Project (2019). Racial equity report card. Found at www.youthjusticenc.org/racial-equity-report-cards.

Youth Justice Project (n.d.). Racial equity report card. *Southern Coalition for Social Justice*.

Retrieved from <http://youthjusticenc.org/wp-content/uploads/2016/08/2018-RERC-Wake.pdf>.

Zuberi, T. (2001). *Thicker than blood: How racial statistics lie*. Minneapolis, MN: University of Minnesota Press.

Zuberi, T., & Bonilla-Silva, E. (2008). Telling the real tale of the hunt. In T. Zuberi & E. Bonilla-Silva (Eds.), *White logic, white methods: Racism and methodology* (3-30). Landham, MD: Rowman & Littlefield Publishers, Inc.

Zuberi, T. (2011). Critical race theory of society. *Connecticut Law Review*, 43(5), 1573-1591.

APPENDIX A: IRB LETTER



Office for the Protection
of Research Subjects

IORG0000014 • FWA #00008584

Notice of Approval: New Submission

February 1, 2018

Principal Investigator	Linda Herrera
CC	Michael Evans
Protocol Title	<i>Traces of a Racist Past: Uncovering N.C.'s Post-Brown Educational Politics</i>
Protocol Number	18279
Funding Source	Unfunded
Review Type	Expedited
Review Category	Expedited 6 & 7
Status	Active
Risk Determination	no more than minimal risk
Approval Date	February 1, 2018
Expiration Date	January 31, 2021

This letter authorizes the use of human subjects in the above protocol. The University of Illinois at Urbana-Champaign Institutional Review Board (IRB) has reviewed and approved the research study as described.

The Principal Investigator of this study is responsible for:

- Conducting research in a manner consistent with the requirements of the University and federal regulations found at 45 CFR 46.
- Requesting approval from the IRB prior to implementing modifications.
- Notifying OPRS of any problems involving human subjects, including unanticipated events, participant complaints, or protocol deviations.
- Notifying OPRS of the completion of the study.

Office for the Protection of Research Subjects
University of Illinois at Urbana-Champaign
(217) 333-2670
irb@illinois.edu

OFFICE FOR THE PROTECTION OF RESEARCH SUBJECTS		UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN	
805 West Pennsylvania Avenue, MC-095, Urbana, IL 61801	T 217-333-2670	irb@illinois.edu	www.irb.illinois.edu
			Revised: 1/17/18

APPENDIX B: INVITATION TO THE STUDY SCRIPT

Study Invitation:

Hello (Insert Name), my name is M. Alex Evans and I'm a doctoral student at the University of Illinois, Urbana-Champaign where I study Educational Policy. In the coming weeks I will be conducting research for my doctoral dissertation on the equity and the historical structures of public K-12 education in Wake County, North Carolina from roughly 1968 to present-day. I am interested in this topic because as a product of N.C. Central University and Wake County public schools, education in the Raleigh-Durham area is near and dear to my heart.

I am contacting you today because I believe that your experiences with RDU's educational systems and policies can contribute greatly to this study. I will be conducting interviews with approximately 12 individuals, including judges, attorneys, grassroots activists, teachers, parents, and school administrators. Interviews will take place at a location of participants' choice and will last for up to 1 hour. Prior to interviews participants will be allowed to review and sign a written consent form with more information regarding the rights as a participant in this study.

If you are willing and able to participate in this study, please contact me at (919) 749-0280 or mikealexevans@gmail.com to schedule an interview at any time of your choosing.

Thank you very much for your consideration.

APPENDIX C: CONSENT FORM



SOCIAL BEHAVIORAL RESEARCH CONSENT FORM

Research Information and Consent for Participation in Social Behavioral Research

Traces of a Racist Past: Uncovering N.C.'s Post-Brown Educational Politics

You are being asked to participate in a research study. Researchers are required to provide a consent form such as this one to tell you about the research, to explain that taking part is voluntary, to describe the risks and benefits of participation, and to help you to make an informed decision. You should feel free to ask the researchers any questions you may have.

Principal Investigator Name and Title: Dr. Linda Herrera

Department and Institution: Educational Policy Organization & Leadership

Address and Contact Information: 361 Education Building, 1310 S. Sixth St., Champaign, IL 61820

Why am I being asked?

You are being asked to be a subject in a research study about the treatment of Black youth in educational settings and the legal process involved in the desegregation era and modern day "school to prison pipeline".

You have been asked to participate in the research because of your knowledge, experiences, and expertise in regards to educational politics in the state of North Carolina..

Your participation in this research is voluntary. Your decision whether or not to participate will not affect your current or future dealings with the University of Illinois at Urbana-Champaign. **If you decide to participate, you are free to withdraw at any time without affecting that relationship.**

Approximately 12 subjects may be involved in this research at the University of Illinois at Urbana-Champaign.

What is the purpose of this research?

The Wake County Public School System (WCPSS) in North Carolina is home to one of the nation's largest school districts and has been plagued by stark racial disparities in school disciplinary procedures such as suspension and expulsion. My project traces the historical legacy of pushing Black youth out of public schools beginning with the desegregation era. By interviewing judges, attorneys, educational grassroots activists, school administrators, and parents I will seek to illuminate narratives that serve to counter commonly reproduced notions of a "school-to-prison pipeline." This will highlight the punitive treatment and legal processes that Black youth have struggled against in N.C. public schools beginning with integration.

What procedures are involved?

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This research will be comprised of interviews that will take place in the respective offices of the participants, or in an mutually suitable space agreed upon by each individual participant and the researcher.

This visit will take about 1 hour.

What are the potential risks and discomforts?

To the best of our knowledge, the things you will be doing have no more risk of harm than you would experience in everyday life.

Are there benefits to taking part in the research?

Taking part in this research study may not benefit you personally, but we [researchers] may learn new things that will help others.

What other options are there?

You have the option to not participate in this study.

Will my study-related information be kept confidential?

You will have the option to have your identity remain confidential.

In the event you choose to remain anonymous, faculty and students who may see your information will maintain confidentiality to the extent of laws and university policies. Personal identifiers will not be published or presented.

What are the costs for participating in this research?

There are no costs to you for participating in this research.

Will I be reimbursed for any of my expenses or paid for my participation in this research?

You will not be offered payment for being in this study.

Can I withdraw or be removed from the study?

If you decide to participate, you are free to withdraw your consent and discontinue participation at any time.

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The Researchers also have the right to stop your participation in this study without your consent if:

→ *They believe it is in your best interests;*

→ *You were to object to any future changes that may be made in the study plan.*

Who should I contact if I have questions?

Contact M. Alex Evans at (919) 749-0280 or email address: maevans3@illinois.edu; OR

Contact Dr. Linda Herrera at (217)-333-0807 or email address: lherrera@illinois.edu.

- if you have any questions about this study or your part in it,
- if you have questions, concerns or complaints about the research.

What are my rights as a research subject?

If you feel you have not been treated according to the descriptions in this form, or if you have any questions about your rights as a research subject, including questions, concerns, complaints, or to offer input, you may call the Office for the Protection of Research Subjects (OPRS) at 217-333-2670 or e-mail OPRS at irb@illinois.edu

Remember:

Your participation in this research is voluntary. Your decision whether or not to participate will not affect your current or future relations with the University. If you decide to participate, you are free to withdraw at any time without affecting that relationship.

Audio Recording:

The researcher will audio record each interview. The audio recordings will only be used by the researcher for transcription purposes.

If you consent to the audio recording of your interview, please check here: ☐

Confidentiality:

In the event that you would like for your identity and identifiable information to remain confidential, any information including your name, affiliation, likeness, etc. will remain anonymous. You will be given the opportunity to select a pseudonym, or one will be selected for you.

If you would like to have your identity and identifiable information to remain confidential please check here: ☐

If you would like to have your identity and identifiable information to be disseminated check here: ☐

OFFICE FOR THE PROTECTION OF RESEARCH SUBJECTS		UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN		
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Dissemination of Data:

The findings from this project will be disseminated through journal articles for both academic conferences and community engagement purposes. Also, note that de-identified data will be shared in data repositories.

I have read (or someone has read to me) the above information. I have been given an opportunity to ask questions and my questions have been answered to my satisfaction. I agree to participate in this research. I will be given a copy of this signed and dated form.

Signature

Date

Printed Name

Signature of Person Obtaining Consent

Date (must be same as subject's)

Printed Name of Person Obtaining Consent

APPENDIX D: PROTOCOL FOR GRASSROOTS ACTIVISTS

Basic Information

1. What would you describe yourself as?
2. Have you attended NC schools?
3. Were you ever disciplined at school? Please elaborate.

Schools and Existence

1. Today, do you feel like the principals, teachers, and counselors have considered Black youth needs?
2. Explain your understanding of what it has meant to have law enforcement (SROs) in schools?
 - a. Explain how you feel and what goes through your mind whenever you see videos and images of intense police interactions with youth online.
 - b. Do your feelings change if you notice it is a young person of color?
3. Do you feel as if schools are an environment where Black youth can unapologetically voice their concerns about their racialized experiences as Black youth?

Interactions with Educational Settings

1. Did you have a favorite educator in K-12?
 - a. Tell me about them.
 - b. How did they interact with you?
2. Describe your experiences with the school administrators, teachers, and lawmakers in regard to school discipline.
 - a. How did you feel about how they responded to your concern with the school's discipline policy?
 - b. Was there ever a time when you felt you were treated unfairly?
 - c. If so, why?
3. Describe your perception of how Black youth across generations have felt about school officials in when it comes to school discipline.
4. Research suggests that the modern-day school disciplinary structure may be racialized, do you agree?
 - a. Explain why you believe this?

APPENDIX E: PROTOCOL FOR TEACHERS & SCHOOL ADMINISTRATORS

Basic Information

1. What is/was your job/title within the school system?
2. How did you serve in WCPSS? As an educator overall?
3. What level of interaction with students did/does your job entail?

Schools and Existence

1. Explain some of the components that go into creating a safe school environment?
2. What are some of the most difficult aspects of student behavior to monitor?
3. In your opinion, do Student Resource Officers make schools safer?

APPENDIX F: PROTOCOL FOR ATTORNEYS

Basic Information

1. How long have you been working with cases involving youth and education?
2. What is your experience working with youth and education?

School Suspension Cases

1. Explain the process that youth go through with school suspension/expulsion cases hearings?
2. What have been some of your most notable experiences in working on school suspension cases?
3. What improvements have been made in the school discipline case system during your time? Have the improvements made a substantial difference for youth?

Advocacy Under the Law

1. Have you experienced any internal difficulties or dissonance concerning the line between the legal advocacy and your everyday life experiences while trying to advocate for youth of color in legal/bureaucratic settings? If, so explain.

APPENDIX G: PROTOCOL FOR FORMER JUDGES

Basic Information

1. How long have you served as a judge?
2. How long have you been involved with educational issues within Wake County?

Experience with Education Related Issues

1. Please share some of your race and education related experiences here in NC as a student or young attorney?
 - a. How have those experiences helped in the development of framing your legal understandings of youth, race, discrimination, and education law?
2. Please discuss how your experiences and understandings as a professional with youth of color, has evolved from your understandings as a student?

The NC Court's Role in Education Matters/Race Matters

1. With no federal fundamental right to education, NC addresses the right to education through state law. Where does this leave the courts in regard to the right to an education?
 - a. In your opinion, how is this impacted by race?
2. Have notable controversial state laws over the last 5-10 years concerning bathroom law (HB2), gerrymandering, and Voter ID laws had an impact on education? If so, how do you interpret its potential legal impacts on vulnerable populations?
3. When we consider notable race-based cases with a large educational aspect, like the Wilmington Ten here in NC, how can we reconcile the procedures and results of similar cases with the fact that much of the legal community and society at-large generally accepts the “objectivity” of the law/courts?

APPENDIX H: PROTOCOL FOR PARENTS

Basic Information

1. How long have you been a WCPSS parent?
 - a. Number of children?
 - b. Grandchildren?
 - c. Have your children attended schools in various locations throughout the WCPSS district?

Experiences with Schools

2. Have you taken on any roles official parental roles or participated in an official capacity regarding your child(ren)s education? Such as PTA meetings, School board meetings, parent-teacher meetings, etc.
 - a. If yes, can you elaborate on any of those experiences?
 - b. Have you advocated on behalf of children other than your own?
 - i. If so, please elaborate on those experiences.

N.C. Educational Policy

3. Modern-Day Educational Policy in Wake County
 - a. Please discuss your take on:
 - i. Neighborhood Schools vs. Diversity Schools Debate
 - ii. Student and Student Resource Officers (in-school law enforcement) interactions
 - iii. School Budget and Funding